

THE TIMES

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Lords set dilemma for ministers

64-vote defeat for Howard's bugging plan

By James Landale, Frances Gibb and Stewart Tendler

THE Government last night suffered a major defeat in the House of Lords when peers overturned a key part of the Police Bill.

Labour and Liberal Democrats united to ensure that the police must seek the authorisation of a judge before entering and bugging homes, except in emergencies.

The Government had claimed that a system of commissioners to review all bugging decisions would provide "rigorous accountability" but an alliance of senior judges and lawyers persuaded peers that it was an essential civil liberty that police should get prior authorisation before invading private property.

The Lords voted by 209 to 145, a majority of 64, for a Labour amendment which will ensure that no intrusive electronic surveillance can take place unless it has been approved by a judge, known as a commissioner. This was one of the largest defeats for the Government since 1979.

Ministers will consider today how to respond. Senior Tories believe they will have to accept the principle of "prior authorisation" as any attempt to overturn it in the Commons would be fraught with difficulties given the Government's lack of a majority. Ministers will be anxious to avoid handing the Opposition parties an issue on which they could precipitate a confidence motion.

Yesterday's vote would mean that in emergencies the surveillance could take place without prior authorisation.

but a commissioner must approve it "as soon as reasonably practicable". In a second Government defeat, a Liberal Democrat amendment providing for the prior authorisation to be given by a circuit judge, rather than a judicial commissioner, was carried by 158 votes to 137.

Labour had initially supported the Government's Bill but changed its mind after criticism from the judiciary and civil liberties groups.

The Government received almost no support from the floor of the Lords. Lord Callaghan, Lord Carr of Hadley and Lord Jenkins of Hillhead, all former Home Secretaries lined up against the Bill. Lord Lloyd, a senior Law Lord, warned that it risked being struck down by the European Court of Human Rights.

Michael Howard, the Home Secretary, was also criticised by a former Tory Solicitor-General, Lord Rawlinson of Ewell. Lord Walton of

Decham, ex-president of the General Medical Council, said that lives would be put at risk if police had sanction to bug surgeries.

Only two Peers defended Mr Howard, one of them Lord Marsh, the former Labour minister.

Baroness Blatch, the Home Office Minister in the Lords, argued that Labour's amendment would hinder the police's ability to combat serious crime. "The freedom of the individual must be weighed against the protection of people whose freedoms are denied by the activities of organised criminals."

But Lord Williams of Mostyn, a Labour spokesman, said: "If this Bill passes, we move one step closer to a totalitarian system."

Last night the Law Society was jubilant. Tony Gifford, president, said that the society had been "seriously concerned" that the Bill did not contain sufficient safeguards to balance privacy with the need to detect crime.

Sir Jim Sharples, Chief Constable of Merseyside and the leader of the police campaign for the legislation, refused to back down on the key question of authorisation. He said that the police had asked for bugging and bugging to be legitimised to bring the operations into the open. Giving the power to launch the operations to an outside power would reduce effectiveness. Too much time would be lost in finding a commissioner.

The Lords' debate, page 11



Hillary and Chelsea Clinton, above, and Al Gore's daughter Kristin, await the swearing in of President Clinton, below

Clinton's hopes for the US

FROM BRONWEN MADDOX IN WASHINGTON

BILL CLINTON yesterday became the fifteenth President in history, and the first Democrat since Franklin Roosevelt sixty years ago, to be sworn in a second time as President of the United States.

In a passionate speech, he called for Americans to reconcile their racial and political divisions, and to have faith that government can improve their lives without overreaching itself. "We must succeed as one America," he declared. Standing in front of the

Capitol, below tiers of 60-foot American flags, he pronounced the 20th century "the American century", when the US "became the world's mightiest industrial power, saved the world from tyranny in two world wars and a long Cold War, and time and again, reached across the globe to millions who longed for the blessings of liberty".

In a wedding of both liberal and conservative philosophies, he argued that "government is not the problem; government is not the solution. We, the people, are the solution," he said. In a theme

which he evolved on the campaign trail, and a clear departure from traditional Democratic rhetoric, he stressed the need for personal responsibility: "The pre-eminent mission of our new Government is to give all Americans an opportunity, not a guarantee — but a real opportunity to build better lives." Throughout the speech, he invoked the "forces of the information age", which he hoped would spread the benefits of education across society.

Racial harmony, page 14

Children turned away from intensive care units

By Jill Sherman
Chief Political Correspondent

MORE THAN 400 critically ill children have been turned away from intensive care units in the past three months because of shortages of beds and nurses, according to a nationwide survey to be published today by Labour.

The study of 19 of the 20 hospitals which have special paediatric intensive care units shows that nearly 200 children were turned away from hospitals last month.

The Great Ormond Hospital for Children in London, one of the country's leading children's hospitals, has had to turn away the most cases: 83 since October. Seventeen children have been turned away from the hospital this month. But the bed and nursing shortages have also caused huge problems in the country's other top hospitals.

Most of the children have been referred onto other hospitals, but in some cases seriously ill children have been transferred to hospitals hundreds of miles away. Bristol Royal Hospital for Children, which has turned away 31 children in the past three months, had to refer on to Birmingham a child who had been sent to them from Taunton, Devon.

Labour intends to use the survey to highlight the shortage of intensive care facilities in its debate on the winter crisis in the health service in the Commons today. It will refer to statements made by Stephen Dorrell, the Health Secretary, last year promising more specialist beds after the case of Nicholas Geldard, aged ten, who died in December 1995 after being referred to four hospitals in search of a bed. Only last month a 20-month-old Sunderland baby

Continued on page 2, col 1

Labour MP dies aged 59

Martin Redmond, the Labour MP for Don Valley, south Yorkshire, died yesterday aged 59. Mr Redmond had been suffering from cancer for some time. His majority at the 1992 general election was 13,524 and his death means that the Conservatives now have the same number of voting MPs — 322 — as all other parties.

Roman statue is raised from mud

A Roman sculpture has been lifted from the mud banks of the River Almond in Crumond, Edinburgh, where it has lain for almost two millennia. The sandstone statuette of a lioness devouring the head of a screaming bearded man is remarkably well preserved. Page 3

Labour pledge to freeze tax starts party battle

By Philip Webster
Political Editor

GORDON BROWN and Kenneth Clarke were locked in an acrimonious battle over tax last night after the Shadow Chancellor unexpectedly pledged that Labour would not increase the basic or top rate of income tax in a full term of government.

In a move designed to bury forever the tax-and-spend image of old Labour, Mr Brown promised no rises in personal taxes for five years, no extensions to VAT in certain areas, an eventual 10p starting rate, and no change in government public spending plans for two years.

But the Chancellor hit back, claiming that Mr Brown's promises were "beyond belief". He declared: "Hell will freeze before Gordon Brown could control spending and keep tax down."

Tory strategists swiftly pointed out that Mr Brown's headline-grabbing pledges in no way prevented him from raising money elsewhere through reducing tax reliefs and personal allowances, increasing taxes on companies, bringing in new charges such as "green" taxes, and raising excise duties.

Sources close to Mr Brown discounted any suggestion of increases in National Insurance contributions, saying that they would amount to a



Labour's tax position is now as clear as the Tories. But that is not saying very much — Anatole Kaletsky, page 31

"tax on jobs".

Mr Brown's five-year promise, the most far-reaching ever made by any prospective incoming Chancellor, took the Tories and most of the Labour Party by surprise.

He delivered it first in an interview at 8.10am on the Today programme on BBC Radio 4 and gave further details in a speech yesterday afternoon at London's Queen Elizabeth II conference centre.

So intense was the secrecy surrounding the announcement that most of the Shadow Cabinet were in the dark until Mr Brown informed them by telephone late on Sunday.

The prospect of an earlier-than-expected General Election was the main factor in the decision of Mr Brown and Tony Blair to put out the news earlier than expected.

It was the climax of their attempt to blunt the Tory campaign on tax — the issue which Labour strategists believe was most responsible for their last election defeat.

Reaction from the Labour Left was muted, although there were rumblings from several union leaders. Ken Livingstone warned that Mr Brown might have to increase top rate tax.

As the election battle heats up, Mr Blair will today promise businessmen a "new deal" for the 21st century. He will promise to build on the changes of the 1980s while leaving most of the Thatcher revolution untouched.

Speaking at a London conference, Mr Blair will say: "Labour offers business a new deal for the future. We will leave the main changes of the 1980s intact, but we will address the new agenda for the 21st century, focused on partnership between government and business, education, welfare reform, infrastructure and leadership in Europe."

Mr Brown said: "Because we want to encourage work, Continued on page 2, col 7"

Peter Riddell, page 10
Leading article, page 19

Teenage mother sees her baby stabbed in pram

By Adrian Lee

A TEENAGE mother saw her baby girl stabbed yesterday as she lay in her pram in a crowded shopping centre.

Ashleigh Baker, who was a year old this month, underwent emergency surgery for a stomach injury after the attack in Nottingham. Shoppers and store staff detained a man, 38, who is believed to have a history of mental illness and who was being questioned last night.

The police said later that the child was in a stable condition at the Queen's Medical Centre and her life was not in danger. Her mother, Norma-Jean Baker, 16, was at Ashleigh's bedside last night with her boyfriend, Robert Tinsley, 17.

The attack happened at 2pm in the Bridgeway Centre, in the Meadows area of the city. Miss Baker, who lives with her boyfriend and baby above a public house in the shopping centre, was standing beside the pram when a man appeared from behind a pillar. Witnesses said he demanded money for drink and, when he was refused, he pulled out what may have been a potato peeler and lunged at the baby, leaving her covered in blood.

Two youths who heard the mother's screams chased a man from the scene into the Co-op store, where he gave himself up.

Anne Bell, who works at an optician's shop in the centre, said: "I saw the mother, who was hysterical, and the kid lying there on the ground. People had covered her with their coats."

Another worker, who was inside the Co-op when the man and his pursuers ran in, said: "A guy came bursting in, shouting: 'Don't hurt me, don't hurt me.' He was a big fellow with dark hair. He was followed by another guy, who was shouting: 'He's just stabbed a baby.'"

"The security guard and the manager looked shocked and just stood there until a man chasing him shouted again that he'd stabbed a kid. When the two lads who were chasing him grabbed him, he didn't seem to put up a fight. Then they led him off."

Russell Smith, a public house manager, said that the stabbing was unprovoked. "It was a young mum out doing her shopping when this bloke ran up and stabbed the child. The girl was bleeding and her mother was screaming and crying like any mum would."

A Co-op spokesman said: "A man was chased into the store by members of the public who told staff he had injured a baby. Store manager Andrew Butler and members of his staff detained a man."

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Latter-day Perry Masons gather for a public execution

Your sketchwriter also serves on the Broadcasting Standards Council, one of whose functions is to consider public complaints about breaches of taste or decency in television programmes. Yesterday morning, with fellow-members of the Council, I watched a video-recording of scenes in *Moll Flanders*, about which there had been complaints. One such involved a public execution. Crowds had gathered for a hanging. There was hubbub, and a sense of ghoulish excitement at the

spectacle to come. Hours later, I found myself outside Committee Room 15 in the Commons. A crowd had gathered for a public meeting of the Select Committee on Privileges. Andrew Mitchell, a social security minister and former whip accused of trying to use his influence improperly during the cash-for-questions affair, was to be interrogated. Queuing journalists mingled with people off the streets, all gossiping in hushed tones about the spectacle to come. What was it in the mood and

the hubbub which took me back to *Moll Flanders*? In the Commons chamber, mood can be a useful early warning of change in the air. To watch Welsh Questions that afternoon was to sense — before they admit it to themselves — that the Labour Party has lost its ardour for a Welsh Assembly. The news will come as a disappointment to the combative young Secretary of State for Wales, William Hague. He has won his battle too early and already the enemy are regrouping on



MATTHEW PARRIS
POLITICAL SKETCH

new ground. The Tories repeatedly pressed their charges against what Hague called "the time-wasting and self-defeating load of hot air Labour call an Assembly," but few heads appeared above the parapets opposite to defend it. Finally, Shadow Welsh Secretary, Ron Davies, was stung into a reply. What was

wrong with the idea, he asked? In a recent survey in Wales, 78 per cent supported Labour's plan for a referendum. Ah, a referendum! The Opposition is shifting ground, reserving its enthusiasm not for the Assembly, but for the idea of asking people whether they want one. Success is now to be the achieve-

ment of the referendum, not the Assembly. The damage-limitation exercise has started before the damage. Geoffrey Clifton-Brown (C. Cirencester & Tewkesbury) rose to defend the Assisted Places Scheme after a salvo against it from one of Labour's bravest free-spirits, Paul Flynn (Newport W). Clifton-Brown told junior minister Gwyn Jones that the virtue of this scheme was that "it enables people rise to the level of their abilities." One of the curiosities of the British parliamentary system

is that it enables people to rise above the level of their abilities. To watch the Government benches from my seat is to survey a mixed-ability class in an average comprehensive school. A few look genuinely clever, others just about keeping up. Some are sucking up to the teacher, some seem completely out of it, and a handful appear as though plucked from a police identity parade. One or two look barking mad. But all these people must be addressed as "the hon Member" and may write

— demanding action from any authority in the land — on headed notepaper with the Crown Particulis embossed on each sheet, and the letters MP after their name. And all at our expense! Half a dozen of them were waiting in Committee Room 15 yesterday to try their hand as latter-day Perry Masons, interrogating a whip in the glare of the television lights — a red sign "Broadcasting" illuminated above the door. Truly, this is the most generous Assisted Places Scheme of all.

Financial crisis hits fundholding practices

GPs put off operations after running out of cash

By JEREMY LAURANCE, HEALTH CORRESPONDENT

PATIENTS awaiting routine hospital operations may have to wait longer for treatment because many fundholding doctors have run out of money to pay for them, it was disclosed last night. GPs covering 350,000 patients in southeast England have told hospitals in London to stop dealing with the cases until after the new financial year begins in April. The fundholding practices, which hold their own budgets for hospital treatment, have said that patients should be made to wait 11 months in some cases in order to postpone payment as long as possible but ensure treatment is carried out within local Patient's Charter limits of one year.

Documents obtained by *The Times* reveal that the two-tier service said to favour patients of fundholding practices is just as likely to disadvantage them. They show that patients of GP fundholders are suffering the same problems of delayed treatment as those from non-fundholding GPs. In the past, patients of non-fundholding GPs have had their treatment postponed by health authorities who have run out of money. The documents, from an unnamed London hospital, show that 191 fundholding GPs from 25 practices have sought help to curb their financial problems. One practice instructed the hospital: "No further treatment to take place until 1 April 1997."

Another said: "Admit all routine cases no sooner than 11 months after placement on the waiting list." A third said no patients should be admitted without prior approval. The document was seized on by Labour as evidence that fundholding is not working. The Government has claimed that by giving budgets for hospital treatment to practices, GPs would be better able to control how quickly the money was spent. More than half the population is covered by GP fundholders. The difficulties experienced by fundholders in the South East are certain to be repeated elsewhere. A survey by the National Association of Fundholding Practices two years ago found a quarter were overspent or had made no savings and the pressures had increased since. Critics have said that GP fundholders only performed better in the early years of the scheme, introduced under the NHS reforms in 1991, because they were more generously funded. Labour is committed to replacing GP fundholding with a system of local commissioning involving all GPs in

an area which it says will improve efficiency and equity. Allan Stibbs, manager of a £6 million multifund covering 30,000 patients in six GP practices in Sidcup, Kent, which is on the "overspent" list, said: "As fundholders we are in the same position as health authorities. The budgets simply aren't large enough to meet the demand. If we face a potential overspend we have to tell the hospitals. "If a patient already has a date for admission there is no way any GP would interfere and if a consultant says a patient should come in the GP would not argue. But if a patient's treatment can be delayed without threat to their life or wellbeing we would have to consider deferring it."

Graham Willoughby, fundholding manager at the Winfield Lee Health Centre in Eastbourne, said: "Too many patients were being treated too quickly — faster than we would have wanted." Clive Parr, general manager of the National Association of Fundholding Practices, said overspending was a growing problem as budgets got tighter. "The idea of a two-tier service favouring fundholders is a nonsense. The NHS has always been a multi-tiered service depending on where you live, who your GP is and how close you are to a hospital."

Hospitals turn away children

Continued from page 1
was taken 120 miles to Edinburgh because an intensive care bed was not available in the North-East. Chris Smith, Shadow Health Secretary, and Tessa Jowell, his deputy, will claim that the survey shows that Mr Dorrell has failed to keep his pledge and the bed shortages are worsening. "It is every

parent's nightmare to arrive at a hospital with a child who is critically ill only to find that there is no bed available. Every second is precious," Ms Jowell said last night. The number of intensive care beds for children has grown rapidly from 127 in England in 1987 to 249 by last year. Each bed costs £250,000 a year to staff and maintain

and the beds come under extra pressure in the winter. The NHS executive says it is too expensive to fund intensive care units to meet peak demand because wide fluctuations in need would waste resources. In guidelines issued last year it said transfers of patients between units were inevitable but if properly managed could be achieved safely.

Dentist who earned £1.1m is struck off

By A STAFF REPORTER

A DENTIST who unnecessarily drilled, filled and crowned the teeth of patients was struck off yesterday. William Duff, 34, who had two surgeries in Glasgow, earned £1.1 million from the NHS between 1991 and 1995, a disciplinary hearing in London was told. It was only after an investigation was launched into his fee claims that it was discovered that patients had been subjected to "wholly unnecessary and unpleasant" treatments. The General Dental Council found Duff, of Kilbarchan, near

Glasgow, guilty of serious professional misconduct and erased his name from the dental register. Richard Rundell, for the council, said that Duff performed "totally unnecessary" fillings, crowning and root canal treatment in his "deliberate pursuit of financial gain". Mr Rundell outlined six specimen complaints which he said were very much the tip of the iceberg. In 1993, an extensive investigation was carried out by the Greater Glasgow Health Board in relation to fees claimed by Duff. In 1995, an NHS tribunal looked into complaints from 228 of his patients

and decided that his name should be removed from its list of registered dentists. Last July, the Scottish Secretary intervened and withheld £190,000 from Duff in outstanding fee claims. "From 1991 to 1995, Duff was one of the most highly paid dentists in Scotland working in the NHS. From 1991 to 1995 he received fees in excess of £1.1 million," Mr Rundell said. Duff did not attend the hearing. Hugh Harvie, of the Medical Defence Union of Scotland, who represented him, said the dentist no longer intended to practise and was on a university course.



Britons glitter at golden awards

FROM GILES WHITTELL IN LOS ANGELES

THE actress Brenda Blethyn led a successful British assault on the 54th annual Golden Globe awards at a gala evening boasting a full Hollywood turnout.

She won best actress in a drama for her performance in Mike Leigh's *Secrets and Lies*. Madonna was awarded best actress in a musical or comedy at the Beverly Hills ceremony on Sunday night, to which the new mother wore a gown that left her virtually bare-chested.

Erina, in which she plays the wife of the Argentine dictator Peron, won three awards, including best original song for Sir Tim Rice. There was a possible forecast of the Oscars when major trophies went to *The English Patient*, the wartime love story by the British director Anthony Minghella (best drama and original score) and Miles Forman's *The People vs Larry Flynt*, a mischievous look at the infamous pornographer (best director and best screenplay). The Australian actor Geoffrey Rush prevailed over Ralph Fiennes, star of *The English Patient*, to win as

best actor in a drama in *Shine*. Ms Blethyn followed a succession of Britons to triumph in American television productions: Helen Mirren and Alan Rickman won Globes for their leading roles in *Losing Chase* and *Rasputin* respectively, while Sir Ian McKellen, Rickman's co-star, was named best supporting actor in a television mini-series or drama.

Filming *The Crucible* page 34
Movie music, page 36



Madonna: honoured for her role in *Evita*

Minister admits his role in inquiry was a 'mistake'

By ARTHUR LEATHLEY, POLITICAL CORRESPONDENT

A TORY minister accused of trying to influence a Commons cash-for-questions investigation admitted last night that it had been a mistake to take part in the inquiry.

Andrew Mitchell, a Social Security Minister, said his membership of the Commons Members' Interests Select Committee had created potential conflicts of interest with his position as a government whip.

Mr Mitchell, MP for Gedling, was accused by Labour MPs of trying to exert his influence as a whip on fellow Tory MPs who were investigating allegations against Neil Hamilton, the former Trade Minister. He is accused of exploiting his position to pass on privileged information to Richard Ryder, then Chief Whip. Last night Mr Mitchell told a public investigation into his role: "In hindsight I have to say that I think it would be better if whips do not serve on such committees in future, both for the whip and in view of what has happened on this occasion."

He said that when he was appointed to the committee he did not know that it had a "quasi-judicial" role and said that, on realising this, he recognised there was a potential conflict of interest. However, Mr Mitchell, who became the first MP to give evidence on oath to the Commons Standards and Privileges Committee, told last night's hearing that he "behaved independently, entirely properly and with integrity both on and off the committee". He said he had never divulged any information from the committee.

He also denied that a memorandum he wrote to the Chief Whip showed that he was intending to influence Tory MPs on the Members' Interests inquiry into Mr Hamilton in 1994.

Mr Mitchell, whose appearance before the committee came after the memo was disclosed by the Labour MP Dale Campbell-Savours, pointed out that his appointment to the now-defunct Members Interests Committee was made by the House of Commons and not by the Whips Office, thereby denying any suggestion that he was some kind of plant.

Brown tax pledge

Continued from page 1

and after 22 tax rises since 1992, which have hit hard-working families, I want to make clear that a Labour government will not increase the basic rate of tax. Acknowledging victory for Mr Blair in a personal tussle over a proposed 50p rate, he said: "As a signal of the importance we attach to rewarding work, I want to make clear that I will not increase the top rate of tax."

For those in lower-paid work, he said: "My tax-cutting ambition is to introduce a new lower starting rate of tax of 10p to encourage work and to help all hard-working families." Mr Brown said: "I would like to have announced we could definitely introduce a 10p rate in our first Budget... but I cannot promise that resources are available to do it, and, therefore, I will not make a promise about the timetable for its introduction."

Mr Brown said his approach to pay would be "firm and fair". He wanted to retain, recruit and motivate staff, he said. But: "With Labour, all public sector pay agreements must be financed from within the agreed departmental cash-limits. Just as we will resist every other unreasonable demand on the public purse, we will resist unreasonable demands on public sector pay."

Peter Riddell, page 10
Leading article, page 19

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The federalists are already making preparations for a 'Referendum '97' campaign. They have relaunched the 'Britain in Europe' campaign which fought the 1975 referendum - along with its twin 'Federal Union', set up "to stop federalism from being a dirty word".

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Evans: confrontation

Evans is out after missing breakfast

By CAROL MIDDLEY

THE maverick broadcaster Chris Evans ended his Radio 1 career with a whimper yesterday after failing to turn up to present his breakfast show.

A BBC spokesman said Evans was being released from his £1.4 million contract immediately because he no longer felt able to present the show. The contract was to have expired on March 27. The BBC was alerted to Evans's non-appearance in a phone call at 5.10am from John Revell, his producer, less than two hours before the show should have started.

Kevin Greening was called in to play almost continuous music, interrupted only by the statement: "Due to circumstances beyond our control we are unable to bring you the Chris Evans breakfast show. For that we are sorry." Mr Greening ended the show by playing *Missing*, by Everything But the Girl.

Evans's failure to turn up for work followed a confrontation last week with Matthew Bannister, Controller of Radio 1, in which Evans demanded Fridays off to concentrate on his Channel 4 television show, *777 Friday*. When Mr Bannister refused Evans resigned, claiming that he had effectively been pushed.

In two years he had built the show's audience to seven million listeners a week. Evans, who is also credited with having boosted ratings for the whole of Radio 1, started his show 30 minutes later than his predecessors and had 12 weeks' holiday a year.

Roman lioness of death raised from river mud after 1,800 years

Relic emerges from sands of time

By SHIRLEY ENGLISH

A ROMAN sculpture, one of the finest and most important historical finds of recent years, was lifted yesterday from the mud banks of the Scottish river where it has lain for almost two millennia.

The 5ft by 2ft sandstone statue of a lioness devouring the head of a screaming bearded man has been remarkably well preserved in the silt of the River Almond in the Cramond district of Edinburgh. Archaeologists say that the 1,800-year-old sculpture is priceless. It was pulled out of the sucking mud by a crane and lowered on to a lorry in a two-hour operation.

The relic was found by Robert Graham, 36, the local ferryman, who spotted its head peering out of the mud as he descended the ferry steps. The nose of the lioness was three inches from the steps. Mr Graham may be entitled to a finder's reward under treasure trove.

Not realising the statue's importance, Mr Graham began digging it out last November, thinking that it would be a "nice piece for the garden". He covered it for safety and forgot about it over Christmas. Last week Mr Graham mentioned the piece to an amateur archaeologist, who recognised its significance and alerted the authorities.

Experts believe that it is probably one of Britain's finest Roman relics, especially

because of its size, detail and rare theme of a lioness with a human. Only three similar depictions exist in Britain, at Corbridge in Northumberland, Borrowdale in Cumbria and Colchester, Essex, but none is as large or as well preserved. The Colchester piece is a carving rather than a statue.

Yesterday, armed with trowels and brushes, six archaeologists and two conservators from the City of Edinburgh and the National Museums of Scotland began the delicate operation of lifting the statue at low tide, after six days of carefully removing the silt that has preserved it for centuries. It has been under 24-hour surveillance since last Wednesday when the dig began.

They had from 3.15pm until about 9.15pm to move the huge statue before the tide covered it again. The plinth, in two parts and including the lioness's hind legs, was lifted first, followed by the statue itself.

Research and preservation work will begin at Edinburgh's Granton depot of the National Museum of Scotland. The statue, waterlogged with sea water as it was found near the mouth of the river, will be washed in distilled water and dried over several months. The main fear is that the salt may cause it to crack as it dries.

Fraser Hunter, curator of the Roman collection in the National Museum, said the statue probably guarded the tomb of a powerful Roman officer. It symbolised the destructive power of death. "I cannot think of any other example of a statue of this kind. It is in amazingly good condition. The detail is tremendous, you can almost feel the lioness's breath on your shoulder," he said.

Roman sculptures of that type normally depict lions eating animals or smaller creatures. This one's size, condition and theme make it rare. The nearest example is the lion and deer at Corbridge, found after the First World War. The only other example of an animal with a human is the sphinx found in Colchester in the 19th century.

Cramond, north of Edinburgh, was an important



Archaeologists lifting the sculpture yesterday from the silt that preserved it. Drying will take several months

Roman harbour and army supply base until the Romans withdrew to Hadrian's Wall about AD 212, after the death of Emperor Septimius Severus in York. There may be another lioness in the silt, as mosaic statues of that kind normally come in pairs. Now that the Roman section of river has been identified, excavations will begin to seek out the harbour buildings.

Mark Collard, the archaeologist at Edinburgh City Council

who led the dig, said the statue may have fallen off a boat when the Romans withdrew or have been hurled in the river by Britons when the occupiers left. It must have sunk rapidly because of its weight and was quickly covered in the sand and gravel that protected it from erosion.

Mr Collard said: "This is the best preserved example in Britain and was probably made by a stonemason in the Roman army. There are other

examples of lions eating creatures, but one of this quality and size, and the fact it is a lioness with a human, is very rare. I have never seen anything like it before. It has certainly got me excited."

Dr Jon Coulston, an expert in Roman sculptures based at St Andrews University, said: "The genre is not unusual, but the detail may be, because of the human victim. That is much more unusual."

Other finds of lions and

prey dating from the second and third centuries are known elsewhere in the Roman Empire, usually in military frontier areas such as the Rhineland and Danube.

The statue will probably belong to the Crown and will be the subject of treasure Trove. Dr David Breeze of Historic Scotland, an expert in Roman archaeology, said: "I have never seen anything like this in Britain or abroad. It seems to be a unique find."

PC denies assaulting man who had gun

By TIM JONES

A POLICEMAN was accused yesterday of assaulting a self-confessed habitual criminal who pointed a gun at him during a high-speed car chase. PC Wesley Pierpoint perforated Paul Golightly's eardrum by slapping him around the head as he sat handcuffed in the back of a police vehicle, a court was told.

Lincoln Crown Court was told that PC Pierpoint, 43, and WPC Nicola Avison had the gun pointed at them as they chased a stolen car driven by Golightly from Nottinghamshire into Lincolnshire. Kate Hargreaves, for the prosecution, said the car was halted just outside Lincoln and the two men inside were arrested.

She said: "WPC Avison, although she could not see clearly what was happening, says she saw Pierpoint's arm raising a number of times and the sound of slaps. She turned away, embarrassed at what she had seen."

At Lincoln police station, she said, Golightly, 22, who has 46 previous convictions and is serving a three-year jail sentence, claimed to have been assaulted by PC Pierpoint, who threatened to "have him". Miss Hargreaves said PC Pierpoint had said he believed Golightly's head made contact quite violently with the ground during the arrest.

"He said that in the car he believed he was about to be headbutted and he hit Golightly's cheek with his arm. Twice more Golightly came at him and he reacted in the same way. He said he did no more than protect himself."

Golightly, whose current sentence is for offences arising out of the car chase, said the gun had been handed to him in the car by a youth who had stolen it. He said it had been handed to him to add to his collection of guns and knives. Golightly added: "An officer opened the door and told me I was in big trouble. He said I would never point a gun at him again. He bent into the car, pushed me on to my side and then hit me repeatedly. Five times, with the palm of his hand into my left ear."

PC Pierpoint denies causing actual bodily harm in July 1995. The case continues.

Doctor who killed rival can go back to medicine

By GLEN OWEN

A WOMAN who stabbed her husband's mistress to death less than three years ago is to be allowed to train to return to her old job as an anaesthetist. The General Medical Council agreed yesterday that Julia Davidson, 49, had "paid her debt to society" after serving 19 months of a four-year sentence for manslaughter.

Dr Jeremy Lee-Potter, chairman of the council's professional conduct committee, said that Dr Davidson could not practise unrestricted and that a psychiatric report should be reviewed in 12 months. He also ruled she must not take any locum posts and that future employers should be made aware of these conditions.

Pamela Horner, her solicitor, argued that Dr Davidson, a mother of four of West Byfleet, Surrey, was no longer a threat to society, nor to her husband.

Her trial at the Old Bailey in 1994 was told that she stabbed Fiona Wood 17 times in the neck and 18 times in the face, and continued to attack her as

she lay dying on the floor of her husband's surgery in Woking, Surrey.

Dr Davidson was an anaesthetist at Whipps Cross Hospital at Leytonstone, east London, when she met Jeremy Wright in the late 1970s. They married and she and her husband's medical secretary became friends, but Dr Davidson discovered that her husband had begun an affair with Mrs Wood during a conference in New York. Dr Wright, a surgeon, left the marital home and later set up home with Mrs Wood in Chobham, Surrey.

Dr Davidson was receiving counselling and was on medication when, in May 1994, she saw her husband with 35-year-old Mrs Wood in his car, when Mrs Wood flashed her a "triumphant smile". Disgruntled, she drove home where she was believed to have collected a knife.

Dr Davidson then drove to her husband's surgery where she confronted Mrs Wood, shouting at her: "Do you know how many people you are

hurting?" She said Mrs Wood laughed and she later told police: "I hit her and hit her and hit her, that evil, wicked woman."

She admitted that even after Mrs Wood fell to the ground, she continued to hit her. Covered in blood she drove to see her husband and told him what she had done. At the trial in December, 1994, she pleaded not guilty to murder but guilty of manslaughter by reason of diminished responsibility.

At yesterday's hearing, Dr Davidson pleaded to be allowed to train as a doctor so that she could "give back something to society and the profession."

Robert Mills, for the GMC, told the committee: "She has paid her debt to society by virtue of her prison sentence" but doubted her ability to practise again since she had not worked as an anaesthetist since the birth of her first child 17 years ago. Dr Davidson said: "I hope some of my old knowledge will come back quite quickly."

Victim set to marry rapist

By TIM JONES

A WOMAN plans to marry the man who pleaded guilty to raping her to save her the humiliation of reliving the attack in court. Her lover was jailed for six years at the Old Bailey yesterday after the court was told that the 28-year-old woman had refused to give evidence against him.

It is likely that, because of her stand, the 30-year-old man would have escaped conviction if he had denied two charges of rape and two charges of indecent assault. The couple had shared a home in a village in Surrey, where he was accused of subjecting her to "a violent and degrading assault" after returning from a night's drinking in October 1996.

Sentencing the man, Judge Richard Hawkins, QC, said: "It appears you were suffering from irrational jealousy." Grace Amakye, defending, said: "He is thoroughly ashamed that he subjected the woman he loves so dearly to this violence and degradation. Now they intend to get married. She has forgiven him."

Preachers were arrested when their message fell upon stony ground

By ALAN HAMILTON

THREE disciples who so excited the multitude that they were pelted with eggs by the ungodly were accused of aggressive preaching when they appeared before York magistrates yesterday.

The zealous preachers belong to Faith Ministries, a Leeds-based group that preaches the Old Testament as it is written, and has no truck with modern interpretations. They look to the streets of York to spread their fundamentalist message on the evils of homosexuality and other perceived ills, but their sermon degenerated into disorder and police were called. Divine intervention deserted them, and they spent 48 hours in custody.

Alison Redmond-Bate, 24, Margaret Miller, 49, and Alan Bate, 50, were told by the clerk of the court that they had been arrested for aggressive preaching, and causing intimidation and harassment so that a breach of the peace was likely to occur. They denied the charges.

A fourth man, David McKelvie, from a Bible college in Doncaster, was also arrested and charged after claiming that he had stepped out of the crowd to protest at the arrest of the three preachers.

A witness said: "They had a huge crowd gathered round, and they were shouting at the top of their voices for people to save themselves. You could tell there was going to be trouble. One started shouting about homosexuality, and that people who practised it would rot in hell."

Pastor Phil Dacre, of the Faith Ministries, said: "For the past six months, since the Lord told us to go out and preach and proclaim, we have sent out teams to places in Yorkshire warning people to repent. This team were asked by the Lord to visit York, but it seems that the people of that city did not want to hear their message."

The Faith Ministries was founded ten years ago by Pastor Dacre, and a few friends in Leeds. Membership has

swelled to more than 100. A spokesman said the group was motivated by the fact that the laws of God were being abandoned.

Speaking about the group being held in custody, Pastor Dacre said: "Preaching is not a criminal offence and we are quite concerned they were kept in jail for that length of time."

Mr Bate is on an electronics course at Leeds University. He is the father of Alison Redmond-Bate, who works as a sales assistant at a clothes shop in Leeds, but on Thursday teaches art at the school attached to the Faith Ministry. Leeds Christian School. Her mother also teaches there and belongs to the ministry. Margaret Miller also helps at the school, which has about 50 pupils and is described as specialising in teaching children Christian principles, but with more emphasis on discipline.

The defendants were released from custody and the hearing was adjourned to a date to be fixed.

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Dogs join search for missing schoolgirl

By KATHRYN KNIGHT

DOGS trained to search for bodies joined the hunt yesterday for Zoe Evans, the girl missing for ten days.

The dogs, trained by the Metropolitan Police, searched hills and scrubland behind the girl's home in Warminster, Wiltshire. Senior police said they were extremely pessimistic about finding the nine-year-old alive.

Paula and Miles Evans, her mother and stepfather, were released without charge on Sunday evening after being questioned by detectives over the weekend. They were taken to a secret address where they were staying with two police officers.

Police disclosed that they were following a new line of inquiry after receiving the results of DNA tests on two pieces of recovered clothing. Inspector Geoff Hicks, of Warminster police, said that he could not disclose the results of the tests. He added: "We are waiting for our first big lead. Mr and Mrs Evans are being kept informed at every stage."



PC Terry Field and his dog, Jupiter, checking a drainage tunnel yesterday

Widow battles the odds to visit Libyan war grave

By STEPHEN FARRELL

A WIDOW aged 79 has achieved a lifetime ambition to visit her husband's war grave in Libya, 54 years after he was killed at Tobruk.

Daisy Norris undertook the journey alone, ignoring Foreign Office and Royal British Legion warnings not to travel to a country isolated by international sanctions. She was "cheated, diddled and robbed", and at the last moment nearly turned away as she approached the grave.

After years spent trying to persuade suspicious Libyan officials to grant her a visa, Mrs Norris was finally given permission to travel last September. She flew to Tunisia to make the final arrangements and last week crossed the border, using the last of her savings to make the return journey from Tripoli.

A taxi driver took her from the town centre to the Tobruk war cemetery, a Commonwealth War Graves Commission site on a plateau five miles inland. There, among 2,480 graves, she found the burial plot of her first husband, Charles Crawley. He



Daisy Norris was "diddled and robbed" on her solo journey into Libya, where her husband died in 1942

was a Royal Marines commando who died, aged 24, on September 14, 1942, as the Eighth Army battled to retake the city from Rommel. He never saw his month-old son, Stephen, and now lies in Grave 13, Row C, Plot 9, next to the Cross of Sacrifice in the far corner of the cemetery.

Exhausted by the journey, struggles with unhelpful officials and the difficulties of negotiating fares and room rates in an unfamiliar coun-



try, Mrs Norris nevertheless refused to be deterred by all obstacles. "Everyone just wanted to stop me, everyone. Even when I got out there they told me I didn't have enough money, it was too dangerous, I couldn't make the journey, everything," she said yesterday from her hotel room in Sousse, Tunisia.

"It was an horrendous experience. I was cheated, diddled and robbed. I was charged 100 dollars in a Tobruk hotel just

for a bed, but when you don't understand someone's language you can't argue with them, you just put the money out and they take it.

"Still, after all that, I have done it. I flew across the Sahara desert. I used Libyan aircraft when people told me not to. I stayed with some very friendly people I met when I was feeling terrible. I did whatever I had to."

Mrs Norris, from Beeston, Nottinghamshire, had cherished the idea of visiting the grave since 1970, when her second husband died of cancer. However, when the moment approached, she felt her resolve falter.

"I had to walk the whole length of the site," she said. "As I got nearer to where I wanted to be, I nearly turned and walked back because I didn't want to see his name on that stone, but I knew it was something I had to face."

"When I did stand there it was a weird experience after so many years. I still feel very emotional about it. I have done what I wanted to do and I did it without any help from anyone. Now I am just so tired and I want to come home."

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Barristers must relearn the art of advocacy

By FRANCES GIBB, LEGAL CORRESPONDENT

BARRISTERS are to undergo compulsory training in advocacy under a new programme which abandons the traditional notion that great advocates are born, not made.

Initially the scheme will apply to barristers who take on jury trials soon after qualifying. Later it is likely that the scheme will be extended to more experienced barristers.

The new Bar chairman, Robert Owen, QC, is launching the profession's first compulsory programme to improve standards. He said: "The traditional view has always been that advocacy was a skill which you were born with. But over the years people have started to realise that it can be taught very successfully."

One of the regular criticisms of barristers is that standards of advocacy, particularly in criminal trials, are inconsistent. A report on the profession in 1994 by Lord Alexander of Weedon, QC, found that "anecdotal evidence of prolixity, lack of preparation and incompetence abounds". He said many barristers provided a high standard of service. But some barristers treated litigation as a "contact sport" and were tediously wordy and unnecessarily aggressive.

The programme, which will apply initially to the 400-500 barristers called to the Bar each year, will end the assumption that an advocate's skills are learned "on the job". Instead, for their first three years, newly qualified barris-

ters will have to complete 42 hours of training in advocacy and in changes in law. The Law Society, which already requires all solicitors who have qualified since November 1982 to gain training points every year, is extending its own scheme to the whole profession after November 1998.

Mr Owen said that the Bar vocational course — the one-year professional training course — provided an excellent grounding. But Bar entrants need more training in relation to specified areas they choose to practise in, as well as in advocacy. He said he had set up an Advocacy Studies Board under Lord Justice Kennedy, the Court of Appeal judge, with representatives from the Inns of Court, the circuits and specialist Bar associations, to advise on advocacy training policy "at all stages of education for the Bar".

A Bar spokesman said: "The scheme is part of an ongoing series of reforms which flowed from the Alexander report — including reforms to the way complaints are handled, and quality assurance standards in chambers. It underlines a recognition that the Bar is providing a professional service like any other."

The scheme is expected to start in October 1997. Both the Royal Commission on Criminal Justice, in 1993, and the Alexander report have called for action to improve standards of advocacy.

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Woman on vodka binge set breath-test record

By RUSSELL JENKINS

A WOMAN who was almost 6½ times the drink-driving limit after a vodka binge was banned from driving yesterday. The Campaign Against Drink-Driving said that the breathalyser figure was the highest recorded by a woman. Rosemary Foster, 23, from Weston Coyney, Staffordshire, also assaulted three police constables. She was stopped by police with 225 micrograms of alcohol in 100 millilitres of breath. The legal limit is 35.

Foster had been drinking with Rita Smith, 43, a housewife from Beswick, Manchester, before getting behind the wheel of her V-registrated Ford Fiesta on December 12. Other motorists used mobile telephones to alert police to a car they had seen weaving along the M56 near Ashley in Cheshire. The police found Foster's car parked on the hard shoulder and the driver staggering into the roadside lane.

Heather Alsop, for the prosecution, told Magistrates that Foster was handcuffed and put in a police



Foster: assaulted police

car. She then tried to make herself sick and vomited over the arresting officers.

At the police station she was offered a cup of coffee by a woman police constable. She immediately threw it back at the officer, scalding her chest and forearm.

Foster, who admitted drink-driving and assault, faces a jail sentence. The case was adjourned until February 17 for reports to be prepared. Foster was remanded on unconditional bail but was given an interim driving ban.

Smith, who had struggled with police officers on the edge of the motorway when she was arrested, admitted being drunk and disorderly during the incident. She was fined £50 and ordered to pay £50 costs.

A spokesman for the Institute of Alcohol Studies said that, with such high levels of alcohol, Foster should have been comatose, "possibly dead". "At that blood alcohol level, the vast majority of people would be flat out on their backs."

Fashanu 'earned £800,000 for role in fixing matches'

By LIN JENKINS

JOHN FASHANU, the former Wimbledon and Aston Villa striker, earned up to £800,000 for fixing Premier League football matches for a gambling syndicate, a court was told yesterday.

Mr Fashanu, now a presenter of the television show *Gladiators*, is said to have been the intermediary between two goalkeepers and unnamed figures in Singapore, Malaysia and Indonesia who financed the rigging of results. Bruce Grobbelaar, the former Liverpool and Southampton goalkeeper, allegedly told Christopher Vincent, his friend and business associate, about the scale of payments to Mr Fashanu as he picked up £40,000 cash for his part in the deception. He earned the money after playing for Liverpool in a match they lost 3-0 at Newcastle in November 1993. Mr Vincent, 38, who has



Fashanu said to have been the intermediary

earned more than £75,000 from selling his story about match fixing, told the court that he went to London for the meeting with Mr Fashanu and was with Mr Grobbelaar as he left with £40,000 in £50 notes in his elephant-skin briefcase. The two men drove to Hampstead, north London,

and Mr Grobbelaar told him "the short man" — the Malaysian middleman — and Mr Fashanu would both be there. "As we left he told me Fashanu had made between £400,000 and £800,000 from doing business with the short man."

Mr Vincent said Mr Grobbelaar had boasted to him that nobody would know if he was influencing the result. "He said he had been Liverpool's goalkeeper for 14 years and if he was standing a yard or a foot off his line nobody would know."

Mr Grobbelaar, 39, watched Mr Vincent intently as he sat in the dock with his co-accused Mr Fashanu, 33, Heng Suan Lim, 30, and Hans Segers, 34, the former Wimbledon goalkeeper. All deny conspiracy to give and accept corrupt payments and Mr Grobbelaar also denies a charge of corruption. The hearing continues.



John Galiano being applauded by his models at the end of yesterday's presentation. He had turned to the Dior archives for inspiration

Galliano updates the New Look on debut for Dior

By HEATH BROWN

FOR the second time in as many days, British design triumphed at the Paris haute couture collections. In the wake of Alexander McQueen's acclaimed show on Sunday night, John Galiano's debut collection yesterday as designer-in-chief at Christian Dior looked to the archives for inspiration. Dior's once revolutionary New

Look, which used extravagant amounts of fabric in full circular skirts, was updated in wasp-waisted bodystocks and Prince of Wales check dresses in a new util length. But, true to form, nothing was that straightforward. He mixed and matched with Masai beading, padded pannier hips, ruffled eveningwear and see-through lace. The theatrical Galiano signature

was evident in the corseted eveningwear, but did not drown the overall wearability of his daywear. The pretty tailoring could very well dress the more adventurous Dior customer of old. Celebrities at the show included Charlotte Rampling, Marisa Berenson, Jean-Paul Gaultier and the Duchess of York. The French magazine *Paris Match* had commissioned

the duchess to interview Galiano before the show. "Just a regular girl's point of view," she said, adding that, as she had always had a weight problem — "like most other women" — she could look at fashion in a more realistic way than the cognoscenti. "Voted one of the ten worst-dressed women in the world," she added wryly. "I feel I have an interesting point of view."

Golf club secretary cheated for his son

By TIM JONES

THE secretary of one of Britain's most exclusive golf clubs has been sacked for falsifying his son's handicap.

Robbie James was found guilty of gross misconduct at Walton Heath, Surrey. He admitted reducing the handicap of his son, Mark James, a top amateur, to increase his chances of entry into significant tournaments.

A statement said that the action by Mr James, formerly secretary at Wentworth, justified dismissal without notice.

Sir Edward Heath

The negotiations with the Sir, referred to in the third paragraph of Sir Edward Heath's letter (January 18), opened in Paris in October 1961, not 1962.

Miss Amanda Clow

Miss Amanda Clow asks us to point out that she did not break off her engagement to Mr Mark Astley as a result of the loss of her engagement ring on a flight from New York to London, contrary to our report of November 6, 1996. She retains her affection for Mr Astley, even though they are no longer engaged. We apologise for any distress our report may have caused.

Thou shalt not gazump, bidder tells Catholics

By A STAFF REPORTER

A BUSINESSMAN has been quoting the Bible to accuse a Roman Catholic diocese of gazumping him on the day he was due to buy a school building from it.

Roy Seaman says that the East Anglia RC Diocese Trust went back on its word to accept his £95,000 offer for the Grade II listed geography block at the Notre Dame High School in Norwich. Instead, six weeks after his offer, it received an identical one from a consortium of school governors and asked both parties to bid again, he says.

His letter to the Bishop of East Anglia, the Right Rev Peter Smith, accuses the diocese of flouting biblical edicts such as "By thy word, thou shalt be justified" (Matthew xii, 37) and "He that is greedy for gain troubleth his own house" (Proverbs xv, 27).

Mr Seaman, a born-again Anglican, says he has already incurred £30,000 costs in planned refurbishments and wished a pension fund to turn the block into a new head office for his local franchising firm. "I believe gazumping is ethically and spiritually wrong and the Church should not be taking part in it or encouraging it."

A spokesman for the diocese said it had a legal obligation to sell to the highest bidder.



How long can Government policy go on restricting our growth?

The Government claims that it believes in free trade and open competition. So far as international air travel is concerned, the reality is very different.

Manchester Airport's ability to grow is being stunted by red tape in the form of archaic regulations dating back to 1947, which were introduced essentially for military reasons, and before the introduction of passenger jets. These regulations — called bilateral agreements — require that before an airline can start a new service between 2 countries an international treaty between the respective Governments is required.

In today's highly competitive market place these rules are

an utter irrelevance to Manchester and other regional airports. Other Governments recognise this and pursue an Open Skies policy to the benefit of their airports and countries.

Major competitor airports like Singapore and Amsterdam therefore attract additional routes without getting snarled up in inter-governmental politics. By contrast, Manchester is constrained by a regulatory process which impedes and deters international airlines from starting new services.

The impact on the regional economy and on employment is enormous. An independent firm of analysts, York Consulting, has estimated that the introduction of an Open Skies policy

would create in the order of 10,000 jobs in the North West between now and 2005.

An IATA passenger survey has found Manchester to be the "World's Best Airport". Many airlines want to start up routes to and from Manchester, allowing more passengers to fly directly to their chosen destinations, and creating jobs here rather than exporting them. The Government can unilaterally declare "Open Skies" over Manchester and other regional airports and support the creation of jobs and passenger choice.

There is no good reason why the Government should not act now. It must!



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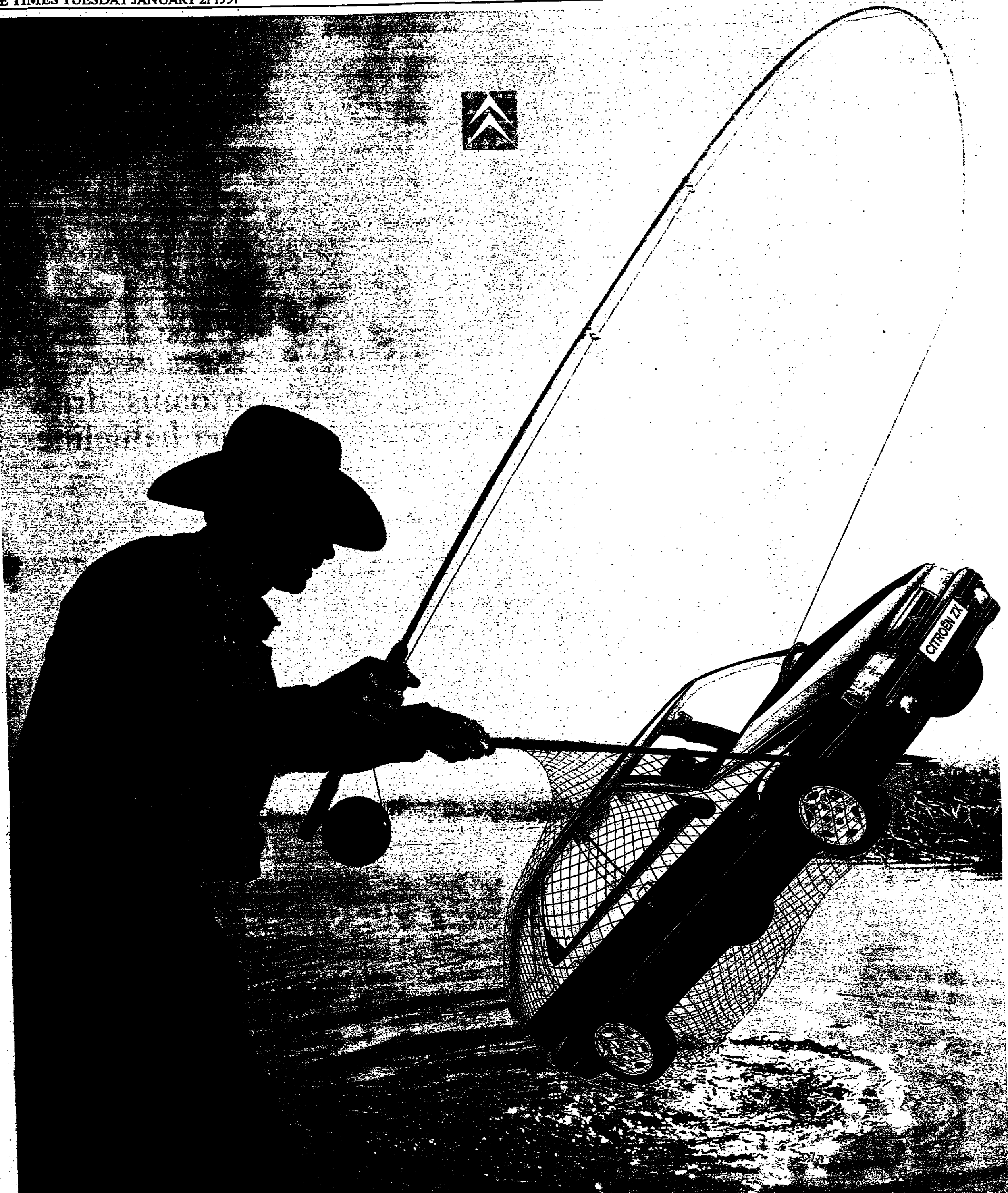
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Loyalists suspected of planting bomb under couple's car

By NICHOLAS WATT, CHIEF IRELAND CORRESPONDENT

THE loyalist ceasefire appeared to be collapsing last night after terrorists tried to murder a Roman Catholic couple and their five-month-old daughter in a car-bomb attack.



John Shaw, Adele Burleigh and their five-month-old daughter, Shauna Rose, after their van was blown up

understood to have been loyalist targets in the past. Mr Shaw described how the bomb exploded after he had driven across Larne for 20 minutes in busy traffic. He said: "I called for my friend, Michael, but he wasn't in. So I drove up the road and I stopped, reversed and a loud bang came up. The van went out of control and was lifted off the ground."

The attack is likely to lead to renewed pressure for the political representatives of loyalist terrorists to be expelled from the Stormont talks. The loyalist fringe parties have insisted that the ceasefire declared in October 1994 by the Combined Loyalist Military Command is still in place. The Government

has supported the claim, despite attacks in December and earlier this month.

The bomb in Larne came hours after the IRA attacked a police station in the nationalist Short Strand area of East Belfast. Terrorists fired two "coffee jar" bombs at a lookout post guarding the heavily fortified Mountpottinger police station yesterday morning. Nobody was injured and the station was hardly damaged, although a woman was taken to hospital with a suspected heart attack and the windows of nearby houses were shattered in the blasts shortly after 7am.

□ Republican sympathisers have launched an "electronic bombing" campaign against the Democratic Unionist Party's Web site, which has cartoons lampooning Gerry Adams, the Sinn Féin president, has been bombarded with thousands of e-mail messages to prevent genuine users gaining access.

Most of the messages were identical and some used abusive language to attack the DUP. One said: "What do you think you are, you Orange scum?"

The DUP last night posted a "business as usual" message on its site. Peter Robinson, the party's deputy leader who features in a cartoon on the DUP site surfing across waves with the Rev Ian Paisley, said he was planning to dump the messages on to a "well-known republican Web site".

Chiens de Fusil



The tribulations of the comic book hero, resembling an unkempt Gerry Adams, include a friend who dies on hunger strike

Prize-winning French cartoonist draws serious lessons from Ulster battlelines

FROM BEN MACINTYRE IN PARIS

A FRENCH cartoon strip depicting the conflict in Northern Ireland has been awarded a prize by French radio journalists and is tipped to win France's comic book equivalent of an Oscar next week.

There is nothing funny about *Chiens de Fusil* (Gun Dogs). The cartoonist Christian Lacroix, not to be confused with the fashion designer, depicts a Roman Catholic family in West Belfast torn apart by sectarian violence.

Lacroix, 48, who signs himself Lax, said yesterday that his aim was partly to counterbalance his country's idealised image of the IRA. "In

France there is a tendency to see the IRA as romantic, a Catholic minority fighting for liberty. I tried not to take sides, to give a neutral picture."

Lacroix spent several weeks in Northern Ireland researching the book and talking with Catholic and Protestant families in Belfast. "When I first came to Northern Ireland two years ago, I was struck by the contrast between the beauty of the countryside and the friendliness of the people on one hand and, on the other, the military infrastructure, the checkpoints, the barbed wire," he said.

On Monday *Chiens de Fusil* was awarded the Prix de la Bande Dessinée de l'Actualité, a current

affairs cartoon-strip prize by jurists at France's Indo radio station. Critics say that it has a good chance of winning the Alpha prize, the top award at the annual comic book festival at Angoulême next week.

The strip tells the simple, and sometimes simplistic, tale of Dermot Doherty, a painter whose father is murdered by E Specials and whose brother, Denis, becomes an IRA terrorist.

Dermot kills three British soldiers and is killed by the security forces, while Dermot's Protestant friend, Stephen Molloy, joins the IRA and dies on hunger strike in prison.

"Why do we fight each other?" Dermot asks. "We share the same

country, we wear the same clothes, like the same music." His girlfriend adds: "And we drink the same beer." But Dermot, who resembles an unkempt Gerry Adams, is dragged into the conflict in the wake of the Enniskillen bombing.

While France remains devoted to the tales of Asterix and Tintin, there is also an increasing interest in "comic book actuality", cartoon strips that tell realistic stories.

Lacroix, who left advertising to draw cartoon strips ten years ago, has also dealt with such subjects as the fall of the Romanian dictator Ceausescu and French involvement in Indo-China. He is working on a strip about the Algerian war of independence.

Vigilante patrol against joyriders stamps IRA authority on West Belfast

VIGILANTES equipped with spiked chains and walkie-talkies have begun a clampdown on car thieves in West Belfast as the IRA attempts to tighten its control of republican areas.

Hundreds of masked men set up mini-roadblocks in the Poleglass and Twinbrook areas in an attempt to mete out republican justice to the "joyriders" who menace the city.

The vigilantes, who refuse to be named, deny that they are members of the IRA or

that they are controlled by the republican leadership. There are clear signs, however, that the so-called residents' groups set up to tackle joyriders are orchestrated by the leaders of the movement.

The widespread public anger about the joyriders, who put lives at risk and disturb residents with their high-speed races, has been exploited to strengthen republican authority. Republican leaders hope that the patrols will send a clear message to the police

■ Gangs of masked men who took to the streets at the weekend may have created more concern for the RUC than for the young car thieves they were after, Nicholas Watt reports

and to their own community that the IRA is in control of West Belfast, where its influence declined during the ceasefire.

The RUC faces a formidable task in policing the area after

the resumption of IRA terrorism. Officers who conducted patrols in ordinary panda cars during the ceasefire have returned to armoured Land Rovers and are usually accompanied by armed soldiers.

The first vigilante patrols in Twinbrook and Poleglass, last Friday night, included known members of Sinn Féin. Up to 200 people congregated at a service station on the Stewartstown Road at about midnight. They waited until just after 2am when the order was given to launch the patrols. One group set off around the sprawling Twinbrook estate, the others headed for the hardline Poleglass area.

As the republicans arrived in Poleglass, an RUC and army patrol stopped to take their car registration numbers. But they allowed them to proceed, perhaps wary of inflaming the situation.

Just after 2.30am a new wave of the walkie-talkies that a stolen Vauxhall Cavalier was driving towards Poleglass. The vigilantes, who carry spiked chains to puncture the tyres of stolen cars, split into groups to patrol different areas. One group stopped drivers for questioning at the main road into Poleglass, be-

lieved periodic patrols by the RUC and the Army. At this time of the vigilantes, this face covered with a scarf, told The Times: "We don't want to be named."

Mr Dermot Doherty, a writer from West Belfast who has conducted extensive research on joyriders, said that the youngsters were unlikely to be intimidated by the patrols. The houses and the streets are locked into some kind of fatal attraction, he said. A lot of the damage that has been

done by joyriders has been against the Provisionals. The RUC increased patrols at the weekend to deal with joyriders. The force is anxious that the vigilantes should not be seen to tackle the problem more effectively.

On Saturday morning two men were arrested in West Belfast when police stopped a stolen car with a Stinger device, a spiked chain which deflates tyres. Five more men were arrested close to the city centre.

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Scotland's leading peer embarrasses health minister with attack on treatment of NHS

Vote Labour, urges duke whose brother is Tory MP

By Gillian Bowditch, Scotland Correspondent

THE premier peer of Scotland, the Duke of Hamilton and Brandon, has backed the Labour Party in a surprise move which will do nothing to calm the nerves of his brother, the Conservative minister, Lord James Douglas-Hamilton, who faces a tough battle to keep his seat at the election.

The duke, Angus Alan Douglas Douglas-Hamilton, who succeeded his father in 1973, is deeply disillusioned with the Conservatives' stewardship of the National Health Service. "There's only one way to get rid of the Tories and that's to vote Labour," he said.

The duke, who lives in East Lothian close to the magnificent family seat of Lennoxlove, said he was desperately worried about another long period of Tory rule, in the same way as he was worried about socialism in 1979. "There are a number of reasons for voting Labour. To me the most important is that they may

repair at least some of the damage done to the NHS in the past 17 years."

The duke, 58, said: "I'm on my way to see some people who have just come out of hospital and they should still be in hospital. I think what is happening to the NHS is appalling. It's the most frightening thing."

"The Conservatives have totally closed minds on this issue. There is no way they will listen to reason."

The duke is the first Scottish hereditary peer openly to support the Labour Party, which has given him a subdued welcome. His comments follow those of the Bishop of Edinburgh, the Most Rev Richard Holloway, who recently wrote an article in support of Labour.

The duke's comments are unlikely to please the Scottish Office, where his brother Lord James, 54, is minister of state with responsibility for home affairs and health. He has

been the Tory MP for Edinburgh West for 22 years but has a majority of only 879.

The duke insisted there was no animosity between them. "I'm sure he respects my views as I respect his. James is the most hard-working constituency MP, with one of the best voting records. Although I do not want to see the Conservatives back in office, I hope James retains his seat."

Yesterday Lord James was prepared only to point out that his brother could not vote in the election, a fact cheerfully acknowledged by the duke. "Unfortunately we in the House of Lords, along with lunatics and bankrupts, don't have the vote."

The duke has been entitled to sit in the Lords since 1973, but has not taken his seat for the current Parliament. He made his maiden speech in 1976 and is a crossbencher who has never taken the Conservative whip. Although he has voted with the Conser-

vatives on some issues, he has more often voted against them.

According to a spokeswoman for the House of Lords, he has not attended since 1990 and, in the year before that, attended only three times out of a possible 147.

Labour intends to abolish the voting rights of hereditary peers in the second chamber. The duke said: "I think it is very difficult to justify hereditary privileges. My only fear is that they will reform the House of Lords and make it worse."

The Douglas-Hamiltons are the cream of the Scottish aristocracy, able to trace their roots back to the 13th century. The first duke, a descendant of Mary, Queen of Scots, led an army into England on behalf of Charles I, but was overpowered and beheaded at Whitehall in 1649.



Lord James, right, faces a battle to save his Edinburgh West seat. His brother the duke, left, has called on voters to back Tony Blair for Prime Minister

14 subsidiary titles, including Hereditary Keeper of the Palace of Holyroodhouse and Hereditary Abbot of Arbroath. He is the only British aristocrat who holds a Scottish, an English and a French dukedom.

It is not the first time that the duke has embarrassed his Conservative brother. He has

five convictions for drink driving and, in 1993, was banned from driving for eight years. Lord James was the Scottish Office minister for transport at the time.

Michael Forsyth, the Scottish Secretary, said that the duke's remarks on the health service were "particularly extraordinary" as there had

been extra spending in real terms, and the Government was committed to this extra spending in the course of the next Parliament.

"The duke appears to have failed to notice that Labour has yet to make that particular commitment," he said.

Brown speech, page 10

Navy to introduce random drug tests

By Michael Evans

THE Royal Navy is to introduce random drug testing from April 1 after two years of successful checks by the Army. A team of four inspectors will carry out random checks on Royal Navy and Royal Marines units on operation anywhere in the world.

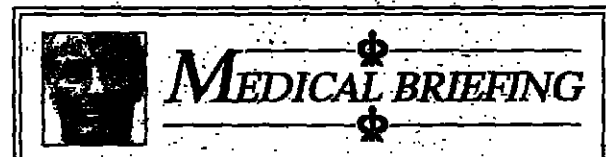
The Navy carried out a two-year trial and, although it found only two cases of drug-taking among 3,000 personnel, the Navy Board decided to introduce a formal programme. Last year there were ten drugs convictions of navy personnel at courts martial.

The RAF is the only armed service not to have a policy of compulsory drugs checks. Last year 18 RAF personnel were discharged over drugs offences.

Twelve soldiers from The Black Watch have been given administrative discharges after failing drug tests.

More than 100 British troops in Bosnia-Herzegovina contract sexually transmitted diseases each month, according to an army document.

The dangers of losing your cool on centre court



Dr Thomas Stuttford

WHILE people in Britain were dying of the cold last week, Australian Open tennis players in Melbourne were running around in temperatures that rose to 127F. Steffi Graf needed treatment for mild heat exhaustion and was unable to give post-match interviews after she was beaten by the lean and muscular Amanda Coetzer, who was possibly injured by the conditions by being brought up in the South African sun.

Two common heat disorders are heatstroke and heat exhaustion. Heat exhaustion, which affected Graf, is the less serious of the two and gives plenty of warning. The sufferer becomes tired, loses muscular power, starts to sweat copiously and begins to lose concentration. It is inconvenient for a tourist, but disastrous for a tennis player. As heat exhaustion progresses, the sufferer becomes increasingly tired, before, in some cases, fainting.

Heatstroke is altogether more serious because the body's defence against excessive heat — sweating — is either absent or grossly diminished and the body's core temperature rises to dangerous levels. As it does so, the

respiratory rate rises alarmingly and the sufferer may have convulsions and, eventually, circulatory collapse.

Heat exhaustion can be prevented by treating the dehydration that is caused by excessive fluid loss through sweating. Youth, athletic fitness, a slim figure, little alcohol and time taken to adjust to the climate all help to protect athletes from the consequences of playing in unaccustomed temperatures.

It is no longer fashionable to take salt tablets as they can upset the stomach and cause more trouble than they prevent. However, large quantities of cool, slightly salty drinks are recommended. If players are going to be exposed to excessive heat for any length of time, the blood levels of other trace elements such as magnesium, potassium and calcium should also be checked and corrected.

After the event, the exhausted athlete should be given frequent small amounts of cool saline drinks and encouraged to lie down; if they are feeling faint, the feet should be raised slightly to be higher than the head. Sufferers rarely need to be cooled artificially, as sweating keeps their core body temperature at normal levels. Intravenous therapy to restore blood levels is rarely needed in cases of heat exhaustion.

After heatstroke, however, the patient needs rapid emergency cooling to bring down the temperature, and admission to hospital.

A third condition, heat cramp, can afflict those playing games in very hot weather. The extremely painful muscle condition is the result of sweat loss, causing low blood-salt (sodium) levels, and can be prevented by taking frequent sips of weak saline drinks.



Coetzer, raised under the South African sun

Graf jail threat, page 13

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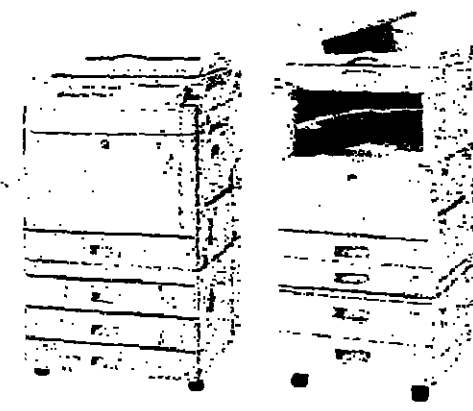
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Brown secured maximum impact for announcement designed to outflank the Tories

How inner circle plotted tax declaration in secret

By Philip Webster and Jill Sherman

ONLY seven people knew at the start of last week that Gordon Brown would announce to millions of radio listeners yesterday that Labour would not raise the standard or top rates of tax for at least five years.

Secrecy was paramount if the disclosure was to make maximum impact and take the Tories by surprise. Military planning and a measure of subterfuge were essential.

A summit between the Shadow Chancellor and Tony Blair at the Labour leader's Islington home on Sunday, January 5, cleared the way. It was at that meeting that Mr Brown finally agreed with Mr Blair's view that raising the top rate of tax would give the wrong signal of Labour's intentions. Mr Brown had for months flirted with the idea of bringing in a 50p rate for those earning more than £100,000 a year.

In return Mr Blair agreed with Mr Brown that he should have the maximum room for manoeuvre on areas other than personal tax rates. Mr Brown is not expected to rule out other ways of raising money. At the launch of the new Labour campaign document the following Wednesday the air was heavy with hints that there would be no new top rate.

On Friday, January 10, Mr

Brown, Ed Balls, his senior economic adviser, and Charlie Whelan, his press secretary, agreed that they should get the tax announcements out, along with the new tough spending framework, as swiftly as possible. Yesterday's speech to the Labour finance and industry group was the obvious place to do it.

The strategy was readily endorsed at a meeting in Mr Blair's office last Monday. By then the prospect of an early election was gaining ground and the leadership wanted its "no higher personal taxes" message in front of the voters for as long as possible. It also wanted to blunt a new Tory campaign accusing it of dithering on tax.

The Shadow Cabinet at its meeting last Wednesday was given a broad outline of Mr Brown's programme of speeches, but nothing to suggest that he was planning his big tax announcement yesterday. Mr Brown was behaving with all the circumspection of a Chancellor in office.

Political correspondents had been led to believe that his speech would cover spending and that the tax news would be saved up for a later address at the end of February.

The reality was very different. Mr Brown and his staff spent most of the weekend in his office just off Westminster

Hall preparing and executing their operation. On Sunday night it was time to tell the Shadow Cabinet. He telephoned all of them, swearing them to secrecy. The handful he failed to reach were told yesterday morning.

In his speech, Mr Brown made the following main points:

Tax rates: A Labour government would use the tax system to encourage employment and opportunity. "We want to send the clearest possible signal that we want to encourage employment and work, not penalise it. The Conservatives try to claim that Labour will penalise work and success by raising taxes. Nothing could be further from the truth. Because we want to encourage work, and after 22 tax rises since 1992 which have hit hard-working families, I want to make clear that a Labour government will not increase the basic rate of tax."

"It is because we understand the importance of work that there will be no return to penal marginal tax rates at the top. As a signal of the importance we attach to rewarding work, I want to make clear that I will not increase the top rate of tax."

He added: "My tax cutting ambition is to introduce a new lower starting rate of tax of 10 pence to encourage work to

and to help all hard-working families."

VAT and tax dodgers: "In 1994, I reaffirmed that we would not extend VAT to food, children's clothes, books and newspapers and public transport. That remains the position... We will continue the Treasury's assault on tax loopholes, abuses and anomalies."

Windfall Tax: "As I have made clear, this is a one-off measure which affects only the privatised utilities. I can confirm that the levy will be introduced in a first Labour Budget."

Public Spending: The new manifesto would include no new spending commitments. In the first year of a Labour government, departmental ministers would have to overhaul their existing budgets. "The overriding spending issue for a Labour government will not be whether to spend an extra £1 billion here or there but whether we are using the existing £300 billion of total public spending efficiently and in a way which meets Labour priorities."

Savings: "In government we will introduce a new Individual Savings Account to promote long-term saving. Tax relief would be geared to encouraging savers to invest in the long term, with relief becoming available after a period of years."



Gordon Brown: "I want to make clear that a Labour government will not increase the basic rate of tax"

Hard decisions for man at No 11

By Janet Bush
ECONOMICS EDITOR

THE government spending plans laid out in November's Budget will be extremely hard to meet, whether the man with the keys to 11 Downing Street after the election is Kenneth Clarke or Gordon Brown.

The independent Institute for Fiscal Studies described Mr Clarke's Budget plans as "hopelessly tight", a view widely shared by City economists who argue that difficult decisions will have to be made on spending, whichever party is in power.

The long-range path of spending set by Mr Clarke represents an unprecedentedly tight squeeze on the public purse. Over the lifetime of the current Conservative Government, average growth in government spending has been 2 per cent a year. But spending over the four years is assumed to grow by just 1.3 per cent in total, an annual average of little more than 0.3 per cent.

Economists at Deutsche Morgan Grenfell noted that the current Government's record on controlling spending has been good but even the tough regime imposed by Mr Clarke and William Waldegrave, his lieutenant at the Treasury, had not achieved the toughness of spending implied in the latest plans. The Chancellor's Budget spending plans look even more difficult to hit when Mr Clarke's economic forecasts, particularly his prediction of inflation, are taken into account.

Mr Clarke assumed inflation to be only 2 per cent in the fiscal year starting in April right through to the millennium, a fall 1 per cent lower than he had expected previously. Economists at HSBC James Capel calculate that the Chancellor would have had to cut spending by £2.5 billion in 1997-98 and by £3.5 billion in each of the following three years simply to leave real spending where it was.

In addition, the November Budget contained some imaginative accounting wheezes that allowed Mr Clarke to publish very tight spending plans but which have excited widespread scepticism in the City. Among these were the

one-off sale of Ministry of Defence married quarters and the student loan book which counted as negative spending. They cut spending plans by £700 million and £1.7 billion respectively.

Then there was the "Spend to Save" plan aimed at reducing fraud and tax evasion. The Government said that this would cost £300 million over the next three years but is predicted to recoup £6.7 billion.

Although the City broadly agreed that "Spend to Save" is a good idea, economists were very doubtful that the Government would achieve the savings that its public spending plans assume.

Andrew Dilnot, director of the Institute for Fiscal Studies, said it was cheeky and somewhat odd to include these hoped-for savings into the Government's tax and spending plans.

Skilful speech leaves room for manoeuvre

Gordon Brown has set himself a demanding task and spending objectives as Chancellor. On the face of it, holding public spending within existing targets for the next two years and avoiding any increase in the basic and top rates of tax looks too good to be true. So it will be unless Mr Brown can change entrenched Labour attitudes on public spending, though he has left himself with more room for manoeuvre than yesterday's Iron Chancellor headlines implied.

Mr Brown's speech was a skilfully orchestrated attempt to reassure financial markets and the public. But it was credible as Labour claims to hold spending within tight limits when the Tories have only succeeded in doing so by introducing measures to cut social security entitlements which Labour has opposed. Indeed, the Government's plans for 1998-99 assume further cuts of the same type, while yesterday's rumblings from union leaders indicate how hard it will be to curtail the current tight squeeze on public sector pay. And, as many commentators and the Commons Treasury committee would add, the Government's existing spending plans rely on over-optimistic assumptions and may be very hard to achieve.

In the immediate aftermath of the election, Labour sought success in holding down spending for the year starting this April, the real problem

will be over 1998-99. Mr Brown's promise to stick to existing plans for that year is intended to prevent arguments about increasing the total and instead to focus departments on relocating spending within Budgets. This will be accompanied by a comprehensive review of the allocation of resources by the Cabinet's EDX committee, chaired by the Chancellor and backed by a team of Treasury officials. This sounds rather like what the original think-tank the Central Policy Review Staff did in the 1970s.

To achieve these aims will require cuts in some programmes to pay for expanded health, education and other priority areas. Where some ideas have been put forward in education, such as abolishing the Assisted Places Scheme and switching money for the over-16s. But Labour has yet to show it would be as tough as Peter Lilley has been in social security: indeed, the party has protested at every attempt to secure savings. Mr Brown is stronger on his commitment to "radical reform of the welfare state" than on the details.


The other route is to increase private financing of public services. Mr Brown yesterday predictably criticised privatisation but then argued that the public interest did not always have to involve public spending but could be


in partnership with the private sector. He gave the examples not only of transport infrastructure but also of the proposed University of Industry. In practice, Labour will have to go down the road of private financing in education and welfare which the present Government has begun.

Mr Brown was careful to limit his tax pledges to the symbolically important areas of income tax rates and ruling out VAT extensions. But as Tory strategists were pointing out — and they should know given the Government's record since 1992 — that leaves plenty of ways to raise taxes.

Mr Brown promised to continue the assault on tax loopholes, abuses and anomalies started in the last Budget but refused to make "blanket commitments" on the 200 tax exemptions, reliefs and allowances in the system before "we know the true state of the public finances". He prudently avoided any comment on the future tax burden. Nonetheless, his speech seeks to make the next Labour government different from any of its predecessors in its spending and tax performance. Whether he succeeds will depend not just on his will — which is not in doubt — but on whether his colleagues accept these constraints. That would really be proof that Labour is a "new" party. It is still an act of faith.

PETER RIDDELL


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A man's home is his castle, say bugging row peers

BY JAMES LANDALE AND ALICE THOMSON

POLICE should be required to seek independent authorisation before entering and bugging a person's home except in an emergency, the House of Lords was told yesterday.

Lord McIntosh of Harrogate, Labour's deputy leader in the Lords, said that serious criminals must be pursued, but the principle that an Englishman's home is his castle must also be preserved.

Opening the report stage debate on the Government's Police Bill, Lord McIntosh said that Labour had recognised some of the arguments against the Bill and as such had last week laid amendments to change it. Labour had previously given its unqualified support.

"What is fundamental is that there should be not just independent judicial authority for intrusive surveillance but that it should be in advance. This is the difference between us and the Government," he said.

Labour's amendments would ensure prior authorisation for bugging of any premises rather than only a person's home. But Lord McIntosh added: "We recognise that from time to time there must arise occasions when the police must take

emergency action, where there is simply no time to go to a judge for approval before intrusive surveillance takes place."

He said that the Liberal Democrat amendment, for prior authorisation to be given by one of 540 circuit judges, would not work. They would not have the necessary experience of a handful of appointed commissioners, likely to be High Court judges, who would develop the expertise to make the decisions.

Lord McIntosh praised the Government's new amendments. "But they do not provide for the fundamental principle of prior judicial authorisation which is critical to our civil liberties in this country. We are concerned not just that serious crime should be pursued but also that we should preserve the principle that the Englishman's home is his castle and that officers of the State have no right to intrude into that home without some independent justification and independent authority."

Lord Rodgers of Quarry Bank, for the Liberal Democrats, said that a handful of commissioners would not be enough to handle the likely number of authorisations. In

1995, 1,300 bugging authorisations were given. "This process is cumbersome, unreliable and slow and would be unlikely to work."

He also criticised Labour's plan to give the commissioners the dual role of both authorising intrusive surveillance then reviewing their own decisions. Lord Rodgers said that his amendment, giving circuit judges the job of giving prior authorisation, was "clear, simple and narrow". He denied that the judges would lose their impartiality by getting involved in an investigation, nor would they be too busy, nor would they have to have any practical experience.

"One of our traditions, one of our freedoms is that the Englishman's home is his castle. If two traditions conflict, it is surely the freedom of the individual that should prevail."

Lord Callaghan of Cardiff agreed with the Government that the police's right to use intrusive surveillance should be given statutory authority. But he insisted that chief constables should be required to get prior authorisation from an independent authority.

"If the Security Service, the secret intelligence service and



Uneasy listening: Lords from all sides oppose use of surveillance equipment without independent authorisation

GCHQ [the intelligence gathering agency] are required to seek warrants before they invade private premises, why should the police be the only service excluded that duty?"

Lord Browne-Wilkinson, a senior Law Lord, challenged the Government's view that intrusive surveillance was already lawful and that the Bill simply gave the action a statutory basis. He said the Bill took away an individual's right to freedom from state interference in his property.

Lord Hutchinson of Lal-

lington, a senior Liberal Democrat lawyer, said: "Big Brother has finally arrived." He emphasised that under the Bill, the police would be able to bug anyone connected to a case, even if they were not suspected of a crime.

Lord Carr of Hadley, a former Tory Home Secretary, said that like Lord Callaghan he had been appalled to discover how much bugging had gone on with out his knowledge when he was in office. He called for reform but said the government Bill went wide

of the mark. "The police must not have sole responsibility for doing these awful deeds without judicial authority. If we allow it to go ahead, there is a strong chance that in 20 years from now our successors will look back and regard what we did as something of which we ought to be thoroughly ashamed."

Lord Marsh, a cross-bencher, and former Labour Cabinet minister, was one of the few to back Mr Howard. He said he was deeply concerned by the lack of trust the upper

house had in the police service. "There are bad eggs but there are bad judges," he said. "We now face crime on an extraordinary scale — we are not dealing with small group of petty criminals but with organised crime, terrorists and money launderers on a worldwide scale."

He begged the Lords to trust the police. "Police are risking their lives. If we have a lack of faith in our officers then we should be looking at a complete reorganisation of the police force."

Police seek powers for usual practice

By Stewart Tendler
CRIME CORRESPONDENT

POLICE would have full powers to enter private property, plant bugging devices and tap conversations in the pursuit of serious crime under the provisions of the Police Bill.

Police have carried out bugging operations for years, but with no statutory basis. They have been required to obtain authorisation from a chief constable or an assistant chief constable.

A confidential Home Office memorandum issued in 1984 says that police must believe they are dealing with a threat to life, suspects linked to serious or organised crime or the economic well-being of the nation. They must also believe that there is no other way of getting the information they need.

At present if a police officer were discovered breaking in he could face a civil action for trespass or criminal prosecution for malicious damage. A break-in is a criminal offence only if it can be proved that there is intention to steal.

The Bill is intended to put covert surveillance by Customs, the RUC and the 43 police forces in England and Wales on a similar basis to that of M15, which, under the Security Service Act, can obtain warrants to enter houses.

The crucial difference between the two is that M15 officers will need the warrant of the Home Secretary before they can break into a person's home and plant listening devices and cameras.

The police powers will be subject only to the scrutiny of a commissioner, and unless the critics of the Bill have their way, this will take place after a warrant has been issued.

In London Scotland Yard has used break-ins regularly. Many chief constables in provincial forces say they authorise such actions very infrequently. Last year they united to press for legislation after M15 was given powers to break in and bug. Chief constables feared that the service would take over police work.

Opponents predict new law will face string of challenges

By Frances Gibb
LEGAL CORRESPONDENT

CRITICS of the Police Bill have predicted a spate of legal challenges when it becomes law. They fear that bugging will be "the thin end of the wedge" and that the Bill will encourage the police to use more covert activities to achieve convictions.

Police and prosecutors have already been stretching the margins of what they can do in the legitimate pursuit of serious criminals. Earlier this year the House of Lords condoned police surveillance prac-

tices by holding, in the case of Sultan Khan, that a tape-recording could be used in evidence although the bugging device had been placed by police who had been trespassing. Under the Bill, police would have statutory backing in such a case and would not be regarded as trespassers.

Police obtained permission to bug the home of one of two men suspected of killing Grant Price, an accountant kidnapped in a car park and left to die on a Hampshire beach. The tapes convinced the jury that the men were guilty of murder.

In the private prosecution for murder brought by the parents of

Stephen Lawrence, the teenager stabbed at a bus stop in southeast London, video surveillance from inside the home of a suspect was shown in committal proceedings. The trial collapsed, however, and the tapes were not seen by a jury.

Police have been heavily criticised, however, for some operations involving bugging. Colin Stagg, who was charged with the murder of Rachel Nickell on Wimbledon Common, was acquitted after a judge ruled that an operation that involved bugging of conversations with an undercover policewoman amounted to entrapment, and was

therefore unlawful. The problem was not the bugging itself, but the way the undercover police officer sought to persuade Stagg to confess to the crime and the use that police then made of the conversations.

Courts have been swift to condemn such activities. But there is concern that they may be less willing to intervene when police have the backing of statute.

Similarly, fraud investigators have encountered difficulties after using their powers to compel suspects to answer questions, under threat of imprisonment, and then using the evidence obtained against

them. The European Court of Human Rights ruled that the rights of Ernest Saunders, former chairman of Guinness, had been violated by Department of Trade inspectors who acted in this way.

The court ruled that the use of the self-incriminating material by the inspectors was a breach of human rights. But if bugging yields incriminating evidence, and it is held to be admissible under the Police Bill, will it strengthen the hand of fraud investigators?

The provisions of the Police Bill have been compared with the European Convention of Human Rights

by lawyers and held to be in breach. The Criminal Bar Association has argued: "In all other areas where the state is empowered to interfere with the privacy of the individual, the sanction of a judge, a magistrate or the Secretary of State is required. This applies to search warrants, warrants issued under section two of the Interception of Communications Act and orders under section nine of the Police and Criminal Evidence Act 1984 allowing seizure of certain material." Without such safeguards, the prospect of challenges in Europe looks increasingly likely.

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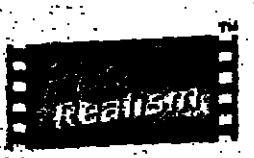
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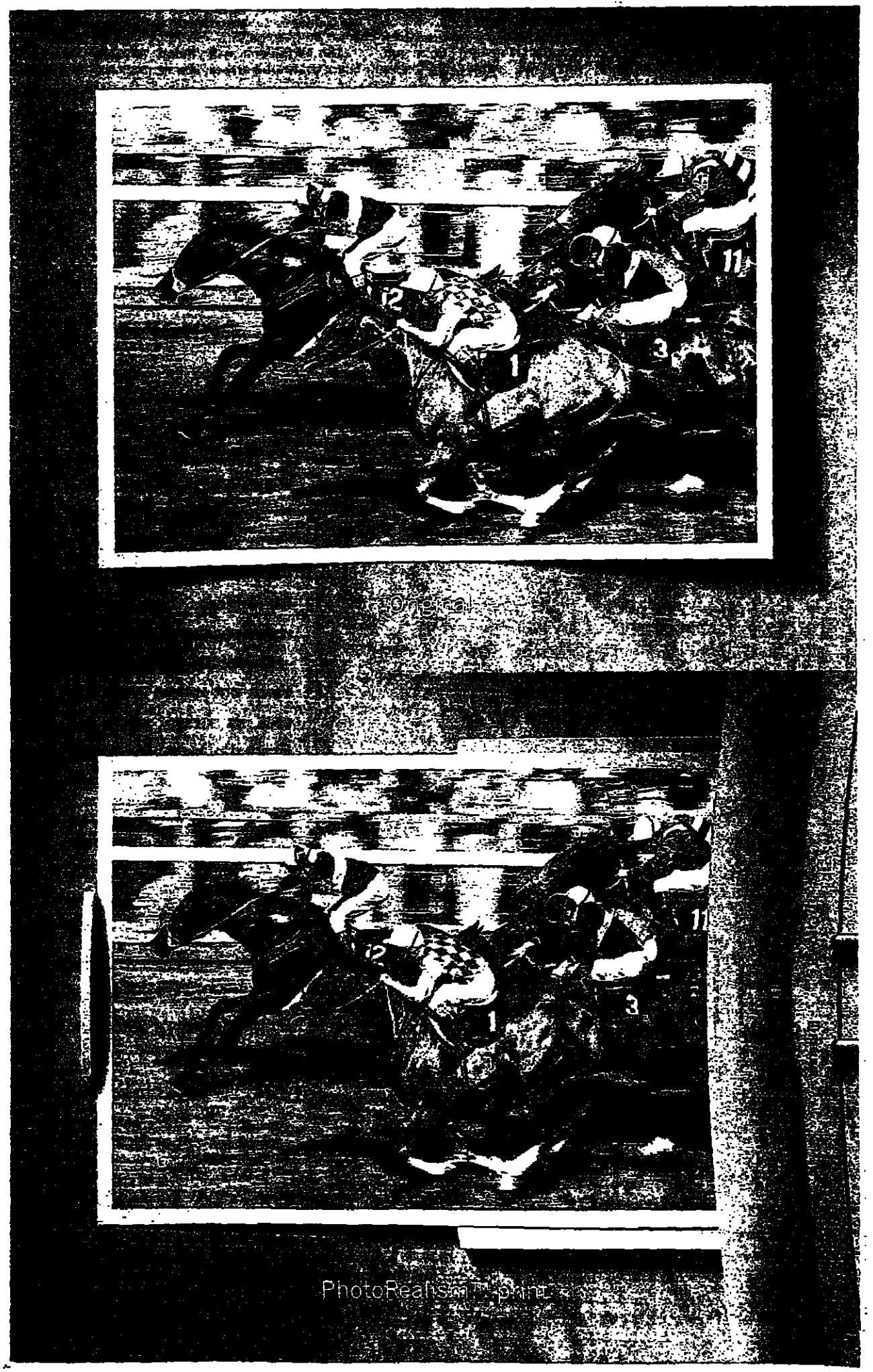
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FROM CHARLES BREMNER IN BRUSSELS

Employees of Credit Foncier attending a meeting in the bank's headquarters yesterday at which they voted to continue with their occupation

The governor has not asked for police intervention. As with the truckers' strike last month, the Government has seemed paralysed before the illegal union show of force.



FROM BEN MACINTYRE IN PARIS

BY BEN MACINTYRE

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Israelis attempt to revive Golan talks after Hebron pact

FROM CHRISTOPHER WALKER IN JERUSALEM

THE Israeli Government softened its stance yesterday on the future of the occupied Golan Heights as a concerted campaign was launched to profit by its pullout from Hebron and restart Israeli-Syrian peace talks.

David Bar-Ilan, the influential communications director to Benjamin Netanyahu, the Prime Minister, denied a report in *Le Figaro*, that he had told the French newspaper that the future of the Golan Heights — captured by Israel in 1967 — was "absolutely not negotiable."

In an attempt to clear the way for a rapid reopening of talks with Damascus and to defuse Syrian anger, prompted by the French report, Mr Bar-Ilan said: "Netanyahu never said the Golan is non-negotiable. We are eager to get back to the talks."

The issue of the strategic plateau, overlooking the Sea of Galilee, is crucial to the future of stalled Israeli-Syrian talks. Since Mr Netanyahu's election last May, his hardline attitude on the area has been the main obstacle to the renewal of peace negotiations. They were broken off last February after a series of Islamic suicide bomb attacks against Jewish targets, giving rise to war jitters between Damascus and Jerusalem.

With his international and domestic standing boosted by the deal with the Palestinian Authority on Hebron, Mr Netanyahu told ABC television in an interview aimed at an American audience that he now thought Israel and Syria "will find a way" to resume the talks.

Both America and Egypt are closely involved in the new drive to engineer an Israeli-Syrian peace deal which US officials regard as the linchpin of any comprehensive peace in the Middle East.

All recent efforts to resume talks have foundered on the



Insistence by President Assad that Syria would only return to the table if Israel honoured the pledge, given by the previous Labour Government, to hand back the whole of the Golan Heights.

President Clinton, who was sworn in for a second term yesterday, is expected to meet separately with the leaders of Israel, Egypt and Jordan in coming weeks. Israeli officials said Israeli-Syrian peace talks would be high on the agenda.

The Tel Aviv paper, *Yediot Aharonot*, said: "Washington has started to explain and 'sell' the Hebron agreement to all Arab capitals, including Damascus. The main message: it has been proven that Netanyahu is reliable, and can produce a parliamentary majority despite Cabinet pres-

sures, even when the subject at hand is a difficult concession in the [occupied] territories."

Egypt is already working to bring the two sides back to the table. It has suggested that Damascus would agree to resume talks if Mr Netanyahu, who has been the target of bitter attacks in the official Syrian media, accepts the general principle of "land for peace."

Smadar Perry, the paper's Arab affairs correspondent, said: "From Cairo it was relayed that should Netanyahu accept the proposal, President Mubarak would announce his willingness to visit Israel. Over the weekend, President Assad sent his deputy and his Foreign Minister to meet with President Mubarak in Cairo. This discussion lasted several hours and involved an analysis of the Hebron agreement, and the formulation for the resumption of talks between Israel and Syria."

Ms Perry added that both the Syrian officials had relayed "a clear message" concerning Damascus's willingness to resume talks with Israel as soon as possible. One proposal is that they should start next month after the end of the Muslim fasting month of Ramadan and the ensuing festivities.

The diplomatic efforts have been boosted by calls from Yasser Arafat, the Palestinian Authority President, for a wider peace to follow the Hebron pullout. Damascus radio, meanwhile, disclosed that a full agreement with the previous Labour Government had been "near completion" at the time that the talks, conducted at Wye Plantation in Maryland, America, broke down.

The Israeli paper, *Haaretz*, said in an editorial after Israel's withdrawal from 80 per cent of Hebron that Syria should conclude that "the actions of the Netanyahu Government... do not reflect its tough rhetoric."

Settlers say 'we will stay'

Hebron: About 2,000 settlers gathered here yesterday to mourn Israel's handover of the town to Palestinian forces whom the settlers called "murderers". The sombre gathering was in stark contrast to Palestinian celebrations at the weekend to mark their liberation from 30 years of occupation. Neema Armon, for the settlers, said: "We will stay here." (Reuters)

Turks warn Cyprus on bases

FROM MICHAEL THEODOULOU IN NICOSIA

TURKEY yesterday threatened to build air and naval bases in northern Cyprus unless Greece abandons plans to establish facilities in the southern half of the island.

Greek Cypriot leaders insisted that they would not bow to Turkish pressure and accused Ankara of looking for new pretexts to keep tension high in the wake of a recent "missile crisis".

"With air and navy bases, Greece is encroaching itself in southern Cyprus, and in the event that such activity continues work will begin to establish in the Turkish Republic of Northern Cyprus similar air

force and naval facilities," President Demirel and Rauf Denktas, the visiting Turkish Cypriot leader, said in a statement in Ankara. Turkey has 30,000 troops in northern Cyprus.

Alexis Michaelides, Cyprus's Foreign Minister, said: "They are just trying to find new reasons to keep tensions high. For us there is one target, and that is the earliest possible engagement on [diplomatic] efforts to solve the Cyprus problem. We cannot waste time on threats."

Cyprus, which has a defence pact with Athens, is

expanding a civilian airport near Paphos to host Greek F16 warplanes in the event of hostilities with Turkey. Mr Michaelides said a naval base was still only at the planning stage.

Diplomats said that Turkey's chief concern is that Greece is establishing a military presence on its southern flank.

Mr Denktas arrived in Turkey yesterday for talks about Greek Cypriot plans to buy Russian anti-aircraft missiles. President Clerides of Cyprus had said that the \$300 missiles would not be delivered for at least 16 months.



Steffi Graf on her way to a crushing defeat in the Australian Open this week

Father's trial puts heavy strain on tennis superstar

FROM ROGER BOYES IN BONN

GERMANY'S showcase trial approached its climax yesterday as defence lawyers pleaded for a mild sentence on the father of Steffi Graf, 27, the tennis player.

A verdict of tax evasion against Peter Graf, 60, is likely to be passed on Friday. The question nagging the Germans is what effect a tough jail term might have on his daughter, whose performance is already beginning to falter. A crushing defeat in the Australian Open marked only the second time in 12 years that she has failed to reach the quarter final in one of tennis's big four tournaments.

Sports coverage in the German press has started to think the unthinkable: that the era of Steffi Graf, Germany's most consistently successful sports star, may be coming to a close.

At the heart of the problem, apart from the sheer physical wear-and-tear of so many years on the circuit, is the intimate relationship with her father. Peter Graf's lawyers said yesterday that his erratic handling of his daughter's taxes was not prompted by "crude self-interest", but rather

was an attempt to shield her from an "excessive tax burden" that would have taken away up to three quarters of her earnings.

The judge, Kurt Himmelsbach, a defence lawyer, said, should take into account the culpability of the German inland revenue, which acted slowly and in a way that seemed to encourage Herr Graf to believe that he was acting within the law. The prosecutors' demand for a six years nine months jail sentence was "inappropriate".

Herr Graf, who admitted partial guilt at the outset of the trial, served 15 months on remand before being released on bail. To stand a chance of walking free on Friday he would have to be given a sentence of 30 months or less.

The trial has revealed much about the inner workings of the international tennis circuit, but it stopped short of implicating Steffi Graf herself. Chiefly it exposed some of the weaknesses of her father, a used car salesman paddling out of his depth, drinking heavily, dependent on tranquillisers, imagining insults and taking umbrage

when sports officials failed to show him respect.

Steffi Graf played strongly throughout the trial, but friends said that she was bottling up her emotions. Her father shaped her in the classic manner of ambitious tennis fathers: he sawed the handle off a racket when his daughter was three years old and encouraged her to whack the ball around the living room using the sofa as a net. She received a prequel for 20 consecutive good strokes, while 50 strokes was worth a scoop of ice cream.

A biography, *Rich Steffi. Poor Child: the Graf File*, shows how Herr Graf used his daughter's success to bolster his own self-esteem and how he would occasionally slap her if she missed a shot.

The book and the trial evidence made upsetting reading for Germans who have come to view her as the model sportswoman. Part of the myth was that the perfect athlete should have a perfect family: as stories about Peter Graf's womanising filtered through to the public, it became obvious that that was an impossible dream.

Double blow to Serbian opposition

Belgrade: Serbian courts have dealt opposition protesters a double blow, suspending a ruling that declared the governing Socialists had lost municipal elections in Belgrade and handing them victory in another disputed poll, in Serbia's second largest city, Nis. (Reuters)

Spies join forces

Tokyo: Japan launched the Defence Intelligence Headquarters, a unified military group, ending decades of fragmented intelligence gathering and reliance on information from Washington. (Reuters)

King holiday

New York: Americans remembered slain civil rights leader Martin Luther King Jr with church services and community projects. Their efforts were praised by King's widow, Coretta Scott King. (AP)

Latvian resigns

Riga: Andris Skolele has resigned as Latvian Prime Minister after a row over the appointment as Finance Minister of a businessman who was investigated for an alleged conflict of interest. (Reuters)

Lions 'safe'

Dar es Salaam: Tanzanian authorities denied a claim by the World Society for the Protection of Animals that the lion population of Serengeti National Park was threatened by canine distemper. (AFP)

Yeltsin leaves hospital as calls grow for resignation

FROM RICHARD BEESTON IN MOSCOW

PRESIDENT YELTSIN was discharged from hospital last night and sent home to recuperate, from double pneumonia and to start the recovery of his lost credibility as Russia's head of state.

The ailing Russian leader, who has put in barely a week's work at his Kremlin office since being re-elected seven months ago, set off for his country home where he will remain under medical supervision.

Sergei Yastrzhembsky, his spokesman, said that Mr Yeltsin was getting better and could carry out a few hours' work a day. But there was no indication how soon the Russian leader would be able to resume his full duties and most of the nation will remain doubtful until he reappears in public.

"One should not expect a forceful return of Boris Nikolayevich [Yeltsin] to full-time work, including a

return to the Kremlin," the spokesman said. The Kremlin's cautious message did little to silence the growing chorus of criticism from politicians and the public who are calling on the President to resign because he is unfit for office.

As Mr Yeltsin will discover when he does return to work, the political landscape in Russia has altered during his absence and has become far more hostile to his leadership.

Last year the nation, including the Opposition, waited for the outcome of his heart-bypass operation before deciding what tactics to employ against him. This time, however, there is a consensus that President Yeltsin will never fully recover from his ailments and that a leadership contest is inevitable.

General Aleksandr Lebed has provided the most striking example of this change of mood. Although ignored for

the past few weeks, he is back in the headlines, promising he will be President this year. His message is all the more galling for the Kremlin because he has taken his campaign abroad, first to Germany and now to America.

The other figure who has moved out of the shadows and into the spotlight is Yuri Luzhkov, the Mayor of Moscow, who is openly courting the nationalist vote. Last week he made a highly controversial visit to Sevastopol, the Crimean port city now part of Ukraine, which he claimed as Russian to the anger of the authorities in Kiev.

Aside from the succession race, President Yeltsin is being deserted by some of his most loyal allies, particularly in the liberal press. Two mass-circulation dailies, which supported him last year, have warned him that, unless he can resume his duties, he should make way for someone else.

Argentine relatives to visit Falklands

BY MICHAEL BINYON, DIPLOMATIC EDITOR

SOME members of families of the 234 Argentine soldiers killed in the 1982 Falklands conflict arrive tomorrow for a controversial visit to the Argentine war cemetery. It will be only the second such visit.

Fifteen close relatives of the fallen soldiers will arrive at the British military base at Mount Pleasant on a charter flight from Rio Gallegos in southern Argentina. They will have almost no contact with the Falklanders, staying for only one night at Darwin Lodge, a remote, disused tourist lodge that has stood empty for more than a year and has been refurbished for the visit.

A second group of relatives will make a similar visit next month. As a result of the continued Argentine claim to the islands, Argentine passport-holders are not normally allowed to enter the Falklands.

The only previous large-scale visit was in 1991 by 354 Argentine next-of-kin, under the auspices of the Interna-

tional Committee of the Red Cross. The immediate family of a pilot shot down during the fighting was allowed in when his body was discovered in October 1995.

President Menem of Argentina yesterday played down a report in an Argentine newspaper that he would ask President Clinton to mediate in his country's claim to the islands. On Monday *Clarín*, the biggest-selling paper, said he would raise the issue during Mr Clinton's visit to Buenos Aires in March. But Señor Menem said he would merely repeat a request made in Washington last December, similar to one made to President Bush, that Washington should help on the sovereignty question.

Guido Di Tella, the Argentine Foreign Minister, said yesterday he was optimistic relations with Britain would continue to return to normal on all matters except the islands' sovereignty.

Russia seeks concessions from expanding Nato

FROM ROBIN LODGE IN MOSCOW

RUSSIA and Nato took the first wary steps yesterday towards establishing a new framework for relations at talks in Moscow between Yevgeni Primakov, the Russian Foreign Minister, and Javier Solana, the alliance's Secretary-General.

However, there was no sign of a breakthrough on Moscow's objections to Nato plans for expansion eastwards.

"This is round one in an effort to develop the Nato-Russia relationship," John Lough, a spokesman for the alliance's Moscow office, said. "We are looking to reassure the Russians that enlargement does not threaten Russia's interests."

The two sides are trying to reach agreement before the Nato summit in July, at which the alliance is expected to issue formal membership invitations to the Czech Republic, Hungary and Poland.

Analysts say that, while Russia is

resigned to the inevitability of this first stage of Nato enlargement, it is determined to wring as many concessions from the alliance as possible.

These include limits on the number of countries that will eventually join, delays in the enlargement schedule and a guaranteed say in issues affecting Moscow's "vital interests".

The success of negotiations has also been hampered by the absence of President Yeltsin, who was readmitted to hospital on January 8 with double pneumonia, two months after

his multiple heart bypass operation. Mr Yeltsin was discharged yesterday, but is expected to spend several days convalescing.

Sergei Yastrzhembsky, the Russian presidential spokesman, said after yesterday's talks that the meeting was only a "prologue" and that expectations should not be too high.

Before the talks started, Nato officials said Señor Solana would be bringing a series of proposals on greater flexibility in arms control and increased military co-operation.

The 100 GREATEST BOOKS of the 20TH CENTURY. How many HAVE YOU READ?

- 1 The Lord of the Rings J.R.R. Tolkien
- 2 Nineteen Eighty-Four George Orwell
- 3 Animal Farm George Orwell
- 4 Ulysses James Joyce
- 5 Catch-22 Joseph Heller
- 6 The Catcher in the Rye J.D. Salinger
- 7 To Kill a Mockingbird Harper Lee
- 8 One Hundred Years of Solitude Gabriel Garcia Marquez
- 9 The Grapes of Wrath John Steinbeck
- 10 Trainspotting Irvine Welsh
- 11 Wild Swans Jung Chang
- 12 The Great Gatsby F. Scott Fitzgerald
- 13 Lord of the Flies William Golding
- 14 On the Road Jack Kerouac
- 15 Brave New World Aldous Huxley
- 16 The Wind in the Willows Kenneth Grahame
- 17 Winnie-the-Pooh A.A. Milne
- 18 The Color Purple Alice Walker
- 19 The Hobbit J.R.R. Tolkien
- 20 The Outsider Albert Camus
- 21 The Lion, the Witch & the Wardrobe C.S. Lewis
- 22 The Trial Franz Kafka
- 23 Gone with the Wind Margaret Mitchell
- 24 The Hitchhiker's Guide to the Galaxy Douglas Adams
- 25 Midnight's Children Salman Rushdie
- 26 The Diary of Anne Frank Anne Frank
- 27 A Clockwork Orange Anthony Burgess
- 28 Sons and Lovers D.H. Lawrence
- 29 To the Lighthouse Virginia Woolf
- 30 If This Is a Man Primo Levi
- 31 Lolita Vladimir Nabokov
- 32 The Waste Land T.S. Eliot
- 33 Remembrance of Things Past Marcel Proust
- 34 Charlie and the Chocolate Factory Roald Dahl
- 35 Of Mice and Men John Steinbeck
- 36 Beloved Toni Morrison
- 37 Possession A.S. Byatt
- 38 Heart of Darkness Joseph Conrad
- 39 A Passage to India E.M. Forster
- 40 Watership Down Richard Adams
- 41 Sophie's World Jostein Gaarder
- 42 The Name of the Rose Umberto Eco
- 43 Love in the Time of Cholera Gabriel Garcia Marquez
- 44 Rebecca Daphne du Maurier
- 45 The Remains of the Day Kazuo Ishiguro
- 46 The Unbearable Automaticity of Being Milan Kundera
- 47 Birdsong Sebastian Faulks
- 48 Howards End E.M. Forster
- 49 Brideshead Revisited Evelyn Waugh
- 50 A Suitable Boy Vikram Seth
- 51 Dune Frank Herbert
- 52 A Prayer for Owen Meany John Irving
- 53 Perfume Patrick Suskind
- 54 Doctor Zhivago Boris Pasternak
- 55 Germenahaus Morgan Parker
- 56 Cider with Rosie Laurie Lee
- 57 The Bell Jar Sylvia Plath
- 58 The Handmaid's Tale Margaret Atwood
- 59 Testament of Youth Vera Brittain
- 60 The Magus John Fowles
- 61 Brighton Rock Graham Greene
- 62 The Ragged-Diapered Philanthropists Robert Tresselt
- 63 The Master and Margarita Mikhail Bulgakov
- 64 Tales of the City Armistead Mauphi
- 65 The French Lieutenant's Woman John Fowles
- 66 Captain Corelli's Mandolin Louis de Bernieres
- 67 Shogun Hilary Mantel
- 68 Zen and the Art of Motorcycle Maintenance Robert M. Pirsig
- 69 A Room with a View E.M. Forster
- 70 Lucky Jim Kingsley Amis
- 71 It Stephen King
- 72 The Power and the Glory Graham Greene
- 73 The Stand Stephen King
- 74 All Quiet on the Western Front Erich Maria Remarque
- 75 Paddy Clarke Ha Ha Ha Roddy Doyle
- 76 Malinda Roald Dahl
- 77 American Psycho Bret Easton Ellis
- 78 Fear and Loathing in Las Vegas Hunter S. Thompson
- 79 A Brief History of Time Stephen Hawking
- 80 James and the Giant Peach Roald Dahl
- 81 Lady Chatterley's Lover D.H. Lawrence
- 82 The Banquet of the Vanities Tom Wolfe
- 83 Complete Cookery Course Julia Child
- 84 An Evil Cradling Brian Koppelman
- 85 The Rainbow D.H. Lawrence
- 86 Down & Out in Paris and London George Orwell
- 87 2001: A Space Odyssey Arthur C. Clarke
- 88 The Tin Drum Gunter Grass
- 89 A Day in the Life of Ivan Denisovich Alexander Solzhenitsyn
- 90 Long Walk to Freedom Nelson Mandela
- 91 The Selfish Gene Richard Dawkins
- 92 Jurassic Park Michael Crichton
- 93 The Alexandria Quartet Lawrence Sanders
- 94 Cry, the Beloved Country Alan Paton
- 95 High Fidelity Nick Hornby
- 96 The Van Hoolbeek
- 97 The BFG Roald Dahl
- 98 Earthly Powers Anthony Burgess
- 99 I, Claudius Robert Graves
- 100 The Horse Whisperer Nicholas Evans

If you haven't read all the 100 greatest books of the century (as voted by Waterstone's customers and Channel 4 viewers), you've still got something to look forward to. If you haven't read most of them, you've got some catching up to do. If you've hardly read any of them, welcome to the twentieth century.

For an indication of where you might like to start, try the thoughts of some well known names reviewing highlights of the list every evening this week at 7.55pm on Book Choice on Channel 4.

If the greatest books of the century are a source of riches, Waterstones, you'll be pleased to know, won't impoverish you. From now until the end of February, you can buy any four titles from the list for the price of three.

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Chastened President pledges 'government that is smaller and lives within its means'

Clinton sets tone for new century with racial harmony plea

FROM TOM RHODES AND BROWN MADDOX IN WASHINGTON

AMID the tightest security Washington has ever seen for a swearing-in ceremony, Bill Clinton intoned the 35 words of the presidential oath before turning to hug his wife, Hillary, and daughter, Chelsea.

The rest was pure pageantry, a morality play staged at the heart of the American capital, and one which comes as close to a coronation as the Constitution will permit.

For Mr Clinton, the first Democrat to be sworn in for a second term since Franklin Roosevelt and only the nineteenth President in the republic's history, the 53rd inaugural ceremony was the climax of his triumphant comeback. After a turbulent first term, dogged by bitter partisan squabbling and inquiries into his public and private behaviour, his political fortunes seemed shattered two years ago when Republicans seized control of Congress for the first time in 40 years.

Before the swearing-in, the First Family attended a prayer service at the Metropolitan AME Church, a mainly black church in the heart of Washington. The prayers concluded

CEREMONY

with a vibrant rendition of *Amazing Grace*, the President's favourite song.

Later, on the steps of the Capitol, he slipped off his coat to take the oath from Chief Justice William Rehnquist. As cannon fired a salute, he turned and kissed his wife and daughter. Moments earlier Al Gore had taken the vice-presidential oath. He hopes to succeed Mr Clinton.

Mr Clinton, whose inauguration coincided with a national holiday to honour Martin Luther King, the assassinated black civil rights leader, made racial divisions his main theme. "Each new wave of immigrants gives new targets to old prejudices", but "Americans must not succumb to the dark impulses that lurk in the far regions of the soul".

He also called for political harmony. To cheers, he proclaimed that, although Americans had chosen a Democratic President and a Republican Congress, they would not tolerate "petty bickering".

The lessons of his first term were evident in the speech. Four years ago he emphasised "the power of government"

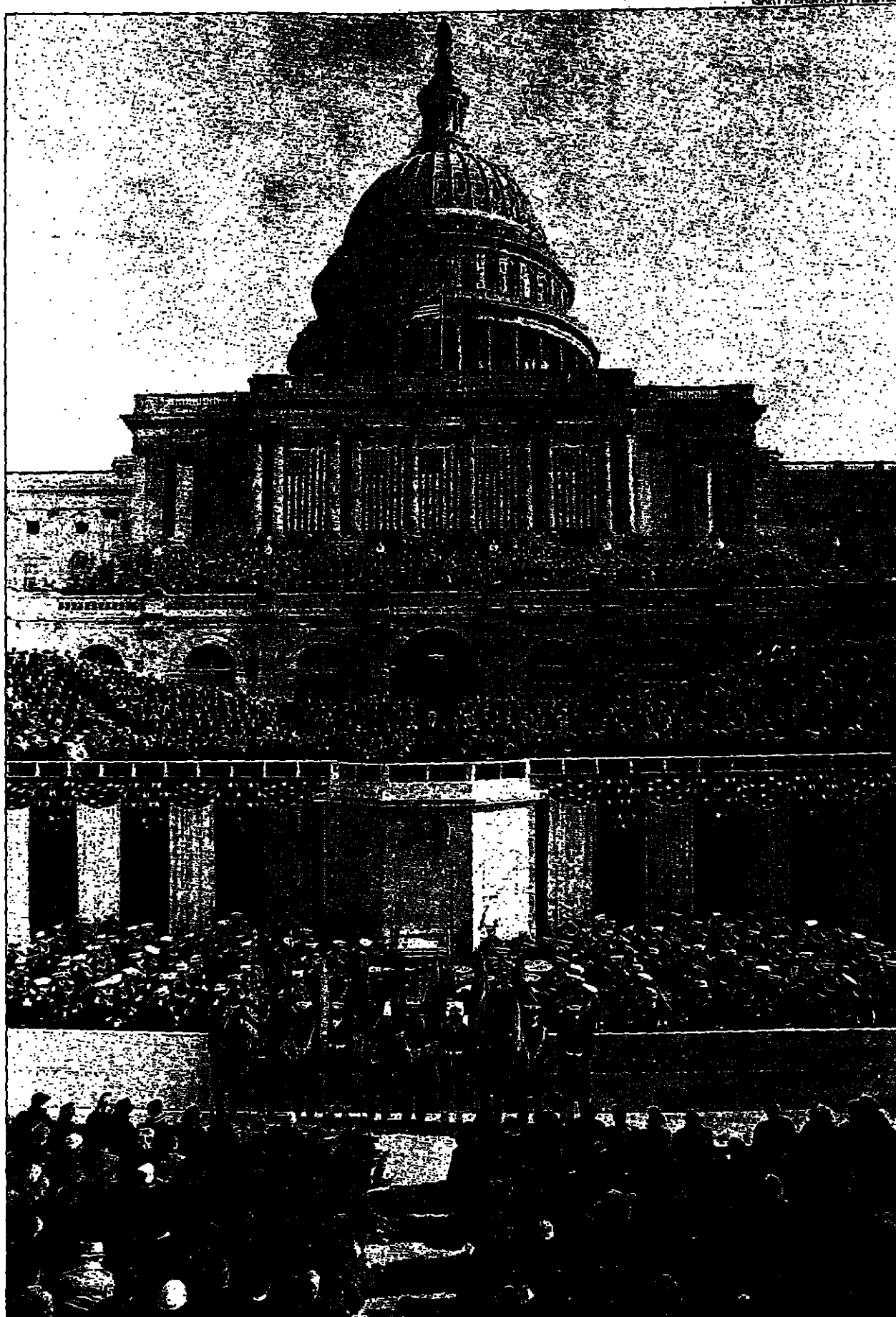
and called for "dramatic change". Yesterday, in sharp contrast, he promised "a government that is smaller, lives within its means, and does more with less". But at the same time, government should "stand up for our values and interests around the world".

In his conclusion, he returned to his favourite campaign metaphor of a bridge to the 21st century. "Let us build our bridge, wide enough and strong enough for every American to cross over to a blessed land of new promise."

Nevertheless, there was a mood of introspection as the first four years had failed to fulfil the expectations of so many loyal supporters. "It's much more subdued than it was in '93," said Joline Davis, who had travelled from Austin, Texas, for the occasion. "I think we had all hoped for so much more."

The view was one which has been repeated throughout Washington in recent days. The President's popularity is the highest it has ever been. The economy is strong. But many remain unsure of what, if anything, Mr Clinton hopes to achieve in his new term.

Leading article, page 19



The packed steps of the US Capitol were decked out in bunting as President Clinton delivered his inaugural address yesterday, becoming the first Democrat to be sworn in for a second term since Franklin Roosevelt.

Freedom's flame 'has to be kept alive'

EXTRACTS from President Clinton's inaugural speech:

At this last presidential inauguration of the 20th century, let us lift our eyes toward the challenges that await us in the next century.

It is our great good fortune that time and chance have put us not only at the edge of a new century, in a new millennium, but on the edge of a bright new prospect in human affairs. A moment that will define our course, and our character, for

decades to come. We must keep our old democracy forever young. Guided by the ancient vision of a promised land, let us set our sights upon a land of new promise.

The promise of America was born in the 18th century out of the bold conviction that we are all created equal. It was extended and preserved in the 19th century, when our nation spread across the continent, saved the Union and abolished the awful scourge of slavery. Then, in turmoil and triumph, that promise exploded onto the world stage to make this the American century.

And what a century it has been. America became the world's mightiest industrial power; saved the world from tyranny in two world wars and a long Cold War; and time and again reached out across the globe to millions who like us longed for the blessings of liberty.

May those generations whose faces we cannot yet see, whose names we may never know, say of us here that we led our beloved land into a new century with the American Dream alive for all her children. With the American promise of a more perfect union, a reality for all her people. With America's bright flame of freedom spreading throughout all the world.

From the height of this place and the summit of this century, let us go forth. May God strengthen our hands for the good work ahead — and always, always, bless our America. (Reuters)

Brake applied to highway star



Goldberg: in time

FROM QUENTIN LETTS IN NEW YORK

IT TOOK the level-headed highway cops of New Jersey to remind Bill Clinton's people and the actress, Whoopi Goldberg, that yesterday's inauguration was not the most important event on Earth.

Miss Goldberg, being black, female, well-known and left-wing, was a natural selection to co-present one of the inauguration galas in Washington. The only snag was that she is currently rehearsing in New York for a Broadway role and prefers not to fly.

To whisk her down to the

capital, the White House organised a high-speed, dark-windowed limousine and requested police outriders for the 200-mile journey through New York, New Jersey, Delaware and Maryland.

"Sure," said New York, Delaware and Maryland. "Er, no," said New Jersey, which is the only one of the states with a Republican governor. When the Goldberg motorcade reached the New Jersey state line it had to observe the speed limit and do without the blue lights and sirens. She still arrived in time.

Love factor revealed in Lima siege

BY GABRIELLA GAMINI SOUTH AMERICA CORRESPONDENT

BEHIND the five-week hostage siege in Lima is one guerrilla's resolve to free the woman he loves, as well as all his comrades from tiny, cave-like prison cells, where cholera and tuberculosis are rife.

"There's a love story behind the rebel assault on the Japanese Ambassador's residence," said Javier Diez Canseco, a Peruvian congressman, who was among the hostages released from the residence. Seventy-four people are still held by the Marxist Tupac Amaru guerrillas. "It's not just a political quest but a personal one. So the chances of a surrender are remote," he added.

Nestor Cerpa Cartolini, 43, is not just driven by ideology. The rebel commander has vowed to "sacrifice all" in an attempt to free his imprisoned comrades, and among them the woman he used to live with, and the mother of their son, aged ten, and four-year-old daughter.

He has shown in the past that he will stop at nothing to free his fellows from prison. In 1992 he led a group of rebels who dug a 150-yard tunnel to free 200 "comrades" from one of Lima's most fortified jails.

His lover, Nancy Gilvono, 32, has been kept in isolation in the high security Yanamayo prison since she was captured in 1995 along with other rebels who planned to storm the Peruvian congress.

Gilvono was captured, along with the New Yorker, Lori Berenson, 27, who is also serving a life sentence in Yanamayo. They were both arrested in a Lima safe house where the Tupac Amaru Revolutionary Movement had stashed weapons, in preparation for an attack on the congress.

Berenson was paraded in front of the media, raising a "revolutionary" fist. But Gilvono was apparently so badly beaten by police, who tried to get her to disclose the whereabouts of her lover, that she was kept away from the cameras.

Judge's exit throws trial of Berlusconi into chaos

FROM RICHARD OWEN IN ROME

A YEAR after it opened the trial on corruption charges of Silvio Berlusconi, the media tycoon and former right-of-centre Prime Minister, was thrown into chaos yesterday when the judge resigned over charges that he was "biased against the defendant".

Legal experts said that the trial, which has suffered many delays and complications, may have to start again from scratch.

Signor Berlusconi was accused with other executives in his Fininvest business empire of paying bribes to tax inspectors to secure favourable company audits between 1989 and 1991. He has always said that the charges were politically inspired and part of a plot against him by the Milan-based anti-corruption magistrates, the so-called "Clean Hands" team led by Antonio Di Pietro, whose 1992 anti-corruption drive brought down the Christian Democrats and transformed the face of Italian politics.

Last October Signor Berlusconi complained that a court microphone had picked up a remark by Carlo Crivelli, the presiding judge, which

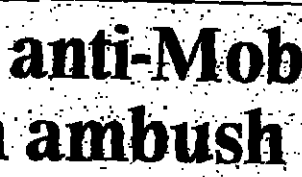
showed he was out to secure a conviction. Judge Crivelli was dropped charges against Silvio Berlusconi's brother, Paolo, who with three others (including Cesare Previti, a former Defence Minister) had been accused of conspiring to force Signor Di Pietro to resign as a magistrate — which he did in 1994 for reasons that have never been fully explained.

Raimondo Giustozzi, the Brescia prosecutor, said there was no evidence to support the accusation against Paolo Berlusconi and asked the court to acquit them.

The two rulings leave Silvio Berlusconi apparently riding high. His Fininvest empire is financially buoyant and he has returned to political prominence by negotiating with the centre-left Government of Professor Romano Prodi on a cross-party commission to reform the constitution.

Di Pietro, "fixed": Giovanni Ruocco, one of the Mafia's leading bosses, told a Rome court yesterday that he is accused of murdering the judge Andreotti, the former Prime Minister, had helped the Mafia to fix trials. (Reuters)

Berlusconi says charges are politically inspired



Leader of anti-Mobutu rebels killed in ambush by allies

FROM SAM KILEY, AFRICA CORRESPONDENT

ZAIRE'S rebel military chief was yesterday reported to have been killed in an ambush by Mai Mai warriors. His death is a blow to the uprising against President Mobutu.



Security sources in Kigali, the Rwandan capital, and in Nairobi, the Kenyan capital, said yesterday they believed that Commander Andre Ngandu Kissasse was killed in a battle between his Tutsi bodyguards and Mai Mai warriors. The Mai Mai were part of the rebel alliance formed to depose the ailing President Mobutu of Zaire.

The sources said Commander Ngandu, a veteran of Zaire's "liberation wars" since

1964, was killed on or about January 8 near the east Zairean town of Butembo, on the Ugandan border. He was the military chief of the Alliance of Democratic Forces for Liberation (Congo-Zaire) led by Laurent Kabila, the chairman of the alliance which joined forces with the Mai Mai last November.

Commander Ngandu, 51, came from Kasai in southern Zaire but led the rebel fighters dominated by Tutsis from South Kivu province. The Mai Mai, traditional enemies of the Tutsis, had fought their new-found allies for control of Butembo earlier this month. "Ngandu is believed to have

been sent to sort out the squabbling and was ambushed outside the town by the Mai Mai," a security source in Kigali said yesterday.

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Balloonist lands in India to set six-day record

FROM CHRISTOPHER THOMAS IN VARANASI, INDIA, AND QUENTIN LETTS IN NEW YORK

STEVE FOSSETT floated down to the north Indian plains yesterday after abandoning his attempt to circumnavigate the world in a hot-air balloon. He landed awkwardly in a field, tearing the balloon on a tree, and was besieged by astonished villagers.

Word that his *Solo Spirit* balloon had returned safely to terra firma met with cheers at his mission control in Chicago, where the mood was described as "ecstatic". Despite failure, there was no suggestion of deflation.

He had been aloft for six days, two hours and 54 minutes, breaking his previous world record by 98 minutes. He covered 9,000 miles — another record, which he had previously set at 5,435 miles. He circled at 500ft to 1,000ft above the holy city of Varanasi for two or three hours to ensure his record before descending into the Hindu heartland.

Two hours later the police, bouncing down country roads, turned up in a Jeep. By then, helped by villagers, the silver-coloured balloon was almost packed. Mr Fossett discovered that the wind had carried him to Nonkhar, which appears on almost no map.

"It was a very good trip," he said at the police station 12 miles away in the village of Peepapur, 330 miles south-east of Delhi, whose duty constable proffered sweet tea and struggled with the language barrier. It was a "safe but rough landing". The wind was blowing at 15 mph as he came in and "it probably ruined the balloon".

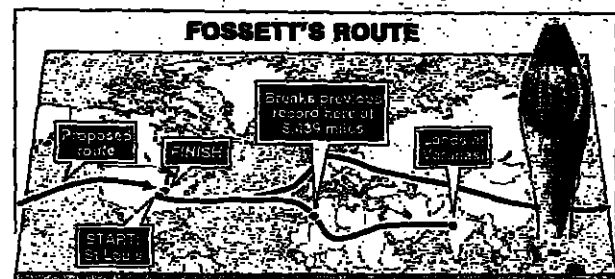
Unlike Libya, which initially denied him permission to overfly, costing him precious fuel, the Indian authorities gave an enthusiastic welcome.

Local people, necks craned skywards, rushed towards the descending balloon in whatever conveyance came to hand, from creaking Ambassador cars to slow-moving bullock carts. "The people have been very nice," Mr Fossett said. Air traffic control at Varanasi had cleared him to remain hovering over the region for as long as he wanted and the army was alerted to look out for him.

"I wish I could have made the biggest achievement and flown around the world but this is also successful," an exhausted Mr Fossett, 52, said. "It shows we are very close to being able to fly around the world." He had miscalculated the amount of fuel and sleep he would need.

"I didn't want to continue on over the Himalayas and didn't want to land in China because I did not have permission. He did not know if he would make a fresh attempt. I haven't had a chance to think. I have to reflect."

He said he would finish packing his balloon today and would probably travel to Delhi before returning to the United States in a day or two. "We did have a very good system. It would require only a few more changes — a bigger balloon, more fuel and a little bit more luck."



Mr Fossett with the air balloon in which he attempted to circumnavigate solo round the world. "It was a good trip," he said on landing in an Indian village

Branson says race back on

By DANIEL MCGRORY

BACK at the drawing board, Don Cameron was last night doodling with ideas on how to improve his creation of the silver ice cream cone that had lured Steve Fossett more than 10,000 miles.

Solo Spirit cost £200,000, against the £3 million Richard Branson spent on his balloon. At his Bristol factory, the guru of balloon design said he believed the message for future competitors is: Keep it simple, and keep it small.

"The first rule of ballooning is that small is beautiful. *Solo Spirit* and Fossett have advanced the art a long, long way," Mr Cameron said.

Mr Branson said yesterday he was confident that his more sophisticated, high-altitude balloon will succeed next time. "Now that Steve has landed safely, the race is on again," Mr Branson said.

Don Cameron also built the ill-fated £2 million Swiss venture, *Breitling Orbiter*, which sprang a leak to a paraffin tank shortly after take-off.

"After what Steve Fossett managed, if he wants to have another go I would say he would be favourite to make it all the way round the world next time," Mr Cameron said. The key to success, he believes, is improving insulation to make the balloon more fuel efficient.

The 120 staff at his factory were yesterday awaiting new orders from those wishing to take up the challenge.

NEWS IN BRIEF

36 die in Chinese snowfalls

Peking: The most violent snowstorms to hit China in three decades have killed at least 36 people, seriously hurt 18 and cut off 320,000 in the northwest of the country, the official media said yesterday. Snow is up to seven feet deep and wolves and the cold have killed more than 1,500 rare animals in Altay, Xinjiang. Temperatures have fallen as low as -30C (-28F). (AFP)

Hijacker held

Tokyo: A Japanese armed with a kitchen knife and reportedly drunk was arrested in Fukuoka after hijacking a domestic airliner carrying 102 people from Osaka. No injuries were reported. (AP)

Shift on Tibet

Taipei: The Dalai Lama said his planned visit to Taiwan was proof that he no longer sought Tibetan independence, as Peking claims, because Taiwan also recognises Tibet as part of China. (Reuters)

Teachers strike

Athens: Greek secondary school teachers joined striking seamen in stoppages and a general strike was planned for Thursday against the Government's tough incomes and tax policies. (Reuters)

Whaling boost

Moscow: Russia may resume commercial whaling due to a jump in the whale population in the Barents, Bering, Black, and White seas and a related drop in fish stocks, the State Fishing Committee said. (AP)

'Sorcerers' die

Accra: Mobs in Ghana have beaten to death at least 12 people on suspicion of being sorcerers and allegedly making penises shrink or vanish. Police prevented at least seven lynching attempts. (Reuters)

Student bones up

Athens: A Greek medical student's parents have appealed against a jail sentence for stealing bones from a cemetery in an attempt to help their son's anatomy studies, a judicial official said. (AP)

'National overhaul' for Japan

Tokyo: Ryutaro Hashimoto, the Japanese Prime Minister, promised yesterday an overhaul of the economic and social system and called on the people to be prepared for sacrifices in the changes ahead. (Robert Whymant writes) "I ask each individual Japanese to keep an unbending spirit and stand firm in the face of difficult times and possible failure."

Saying that Japan would lag behind the rest of the world if it did not make drastic changes, Mr Hashimoto outlined a plan at the opening of the Diet to reform the bureaucracy, economic structures, the financial system, social welfare and education.

The Prime Minister's pledges to reduce the size of the bureaucracy and cut spending on building projects were designed to address an outcry over waste and corruption in government spending after a series of financial scandals.

Patten attacks Chinese bid to revive repressive laws

FROM JONATHAN MIRSKY IN HONG KONG

HONG KONG suffered another setback yesterday as China threatened to curtail citizens' rights after it takes over the colony on July 1.

Chris Patten, the Governor, said last night that the changes proposed by a Peking-appointed group of Hong Kong legal advisers "strike at the heart of Hong Kong's civil liberties".

Meeting in Peking, the legal sub-group of the 150-member Preparatory Committee, established by China last month, to set up Hong Kong's political structure for the July handover, proposed to resurrect colonial laws forbidding political groups linked to foreign groups. It also gave the police powers to regulate demonstrations.

These controls, stipulating that demonstrators must seek police permission to hold meetings, marches or to use loud-hailers, and that political

parties could not have overseas links — which made the Chinese Communist Party illegal — were overturned in 1992 and 1995.

The group said these laws, and others whose repeal it urged, were inconsistent with the Basic Law, China's mini-constitution for Hong Kong. A Peking spokesman in Hong Kong said the Bill of Rights was part of Mr Patten's plan to violate past British agreements and that the provisions of the Basic Law would adequately protect Hong Kong's liberties.

Mr Patten insisted that the Bill of Rights is "entirely consistent" with treaty agreements and the Basic Law. He said the Bill is "fundamental to the success of the 'one country, two systems' concept". The Governor wondered if "anyone is seriously worried that the unlicensed use of loud-hailers in demon-

strations threatens to plunge Hong Kong into turbulence and anarchy? ... What would happen if absurdly [after 1997] the authorities decided to use repressive new public order laws to prosecute someone for holding a peaceful but unlicensed march on July 27?"

Mr Patten called on China, where such a law would be ratified by the National People's Congress, to "draw back from accepting the misguided and damaging advice now being put forward".

He suggested that it is for Tung Chee-hwa, the newly selected Chief Executive, to consider that if any changes need to be made to the laws and policies of Hong Kong.

John Prescott, Deputy Leader of the Labour Party, said in Hong Kong last night that he wholly supported the existing Bill of Rights, and that he had raised his concern with Mr Tung.

U-turn as Kim offers talks on labour law with opposition

FROM REUTER IN SEOUL

IN A dramatic climbdown, President Kim Young Sam of South Korea yesterday agreed to meet opposition leaders to resolve a confrontation over a new labour law that ignited more than three weeks of strikes.

Adding to signs that authorities were seeking a peaceful end to violent confrontation with unions, prosecutors said they would hold off arresting seven strike lead-

ers sheltering in Seoul's Myongdong cathedral.

Mr Kim has rejected demands by opposition parties to discuss the new Bill, which makes it easier to dismiss workers and maintains a ban on free trade union association until 2000.

His about-face followed a decision by the militant Korean Confederation of Trade Unions to call off an indefinite strike, a move that put South

Korean factories back to work with no interruptions for the first time since the law was rammed through parliament on December 26.

Last night Bill Jordan, head of the Brussels-based International Confederation of Free Trade Unions, flew into Seoul and issued a warning that the country's industrial crisis undermined its image and that its reputation was at stake over the new labour law.

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Trendy for fifteen minutes



Before you rush out to buy a nose-ring, remember that today's trends can come and go in a weekend, says Grace Bradberry

Alexander McQueen presented his first haute couture collection for Givenchy on Sunday. Once such a show would have told us something about the long-term future of fashion. It might have developed a few of last year's themes, added a few new ones, and confirmed our idea of what constituted style.

What debate will McQueen's show inspire? The future of the trouser suit? The shape of jackets in six months' time? Or the importance of wearing a two-inch gold nose-ring?

To the chagrin of serious fashion watchers it is the last and most ephemeral of this list that will cause the most talk. The gold ring is that most sought-after thing, a new trend, and even as you read this, professional "trendspotters" will be identifying it as such. But before you head for the local jewellery store, bear in mind one thing: it could be only days before those same trendspotters are proclaiming the nose-ring dead.

In some cases, the cycle is still more extreme: even before *Evita* hit British cinemas, *Evita* style — Ferragamo kitten-heel shoes, Dolce & Gabbana fake-fur coats and scarlet lipsticks — was being denounced as passé by some American commentators. A trend had gone even before it had arrived.

Not surprisingly then, the fizz has gone out of the new year for style gurus. January has lost its significance because by February the predictions have been steam-rollered by a new trend. Whatever SW3 may be up to at the moment, by the 31st they will have disposed of it in their USA bins (mat plastic, bullet-shaped lid, metal flap — a mere £199). By March, the bin will be out on the pavement too, jettisoned before its style sell-by date on the suspicion that they have infiltrated CR3 (Croydon).

However much people deride the Eighties, we are more obsessed than ever with trends. This is, after all, the decade that spawned *The Modern Review*, a magazine based on one trendy idea — that junk culture demanded as much critical attention as James Joyce. We have trendy books — Miss Smilla's

Feeling For Snow in 1993, Cyber Punk novels in 1994, and *The Celestine Prophecy* in the year just gone. And trends in food move faster than anything else: if you eat sun-dried tomatoes in 1997, you will suffer social death: eat couscous and you will pass muster — during January at least — though pigs' trotters and sweetbreads are on their way out.

Over seared tuna with Moroccan garnish in a west London pub-restaurant (outside dining rooms are now *démodé*), even the most intellectual diners are hunting the trend. Is farce back? Is the biography dead? Will *Crush* induce a necrophilia craze? Everyone is watching for the next cultural buzz, barely catching breath to indulge in the current one.

If in 1996 you didn't ride a scooter, eat pumpkin risotto, drink vodka and cranberry juice, give up the gym and wear clothes from Voyage it is now too late, you must have blinked behind your wrap-around sunglasses and missed it.

No cause for lament you might think — except that we really do care. Age and class are no longer a barrier to being trendy. Even 40-year-olds wear Nike Total Max running shoes. They may do so with a post-consumer ironic gleam in their eyes, but they've still shelled out £110, a sum that would have shamed even the least self-conscious Eighties yuppie.

But now that we're all trendspotters, style "leaders" are left with a problem. If everybody is doing it, it can't possibly be trendy. There are so many "style bibles" that the minute six people sitting in Daphne's have come up with their plans for the weekend, they have been broadcast to half the nation as a template. The definition of a trend used to be "everybody's doing it". Now, it's "I and six of my closest chums did this last week."

Peter York, author of *The Sloane Ranger's Handbook*, reflects: "Trends are smaller and shorter-lived than they used to be. We're so aware of other people. Nobody wants to be a dumb dog sitting in one category and being labelled. People want to switch around."



End of the trend: even before *Evita* was released in Britain the style was pronounced dead in America, so how long will the Givenchy/McQueen nose-ring survive?



It wasn't ever thus. In the Eighties it really was possible for a trend to acquire roots, blossom in the media and survive for a while, as Robert Elms, then a style-commentator on *The Face*, nostalgically recalls: "People were much more categorisable than they are now. Sloane Rangers, Yuppies, Punks — people did fit much more neatly into boxes. In 1981, when you talked about the trend being towards this — as opposed to that — you could be right for a fair number of people. Our culture has become so much more mix and match."

Swaths of the population are now sophisticated enough to recognise the con — but we continue to indulge because the desire to be "where it's at" is too strong. But we're not exactly involved anymore.

Not that we're bashful of spending money. Far from it. As Elms points out: "The things that are considered desirable, the brand names or whatever, are not as 'in your face' as they were in the Eighties. Prada is extraordinarily subtle. What's happening is kind of perverse: the more subtle

something is, the more money people will spend on it."

Nevertheless, people still like to be sure they're shelling out for the right thing. Even Miuccia Prada can have an off-day. And so, in the mid-Nineties another trend has emerged — that of the "must-have". Prada's grey V-necked sweater is one example. Gucci's hotcut trousers are another. Offered the chance to express their individuality, consumers are editing the designer collections down to a few items.

"It really seems to have happened very suddenly," reflects Jo-

seph Etneid, the designer behind London's Joseph shops. "A lot of people are obsessed with a few things. A company like Gucci can represent its image with one or two pieces. The suppliers have decided to edit their stores, and people are editing their wardrobes."

Most of the current fashion trends, are, in some way or other, retro. The Prada jumper is like the one you wore at school, the trousers would not have disgraced Bianca Jagger. And, of course, if it's all been done before there is far less creative angst.

All of which is good news for those who are slow to catch on. Missed the boat in 1996? Don't worry, another six months and it will once again be fashionable to wear sheepskin coats or go to clubs where the DJ introduces records with the words "Give it up for...". If you can do all this yet still retain a knowing glint in your eye and a lift to one eyebrow, then you too stand a chance of mastering the mid-Nineties zeitgeist. The only problem is that your pseudo-intellectual German vocab is now completely out of date.

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THE TIMES
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CHANGING TIMES

How I broke my shopping habit

Last Saturday I found myself in the middle of one of London's most exclusive stores covetously running my hands across the merchandise and experiencing, as I reached into my wallet, the return of the "feel-good" factor. I was not alone. The expressions on the faces of the women around me indicated that the years in which the recession had created what seemed to be a permanent rift between sex and shopping were over. The conspicuous consumption of the Eighties became so unfashionable in the early Nineties that a serious shopping habit was more socially unacceptable for women than alcoholism, drug addiction or even nymphomania. But not any more. Suddenly shopping is sexy again.

In fact had I closed my eyes in Harvey Nichols on Saturday, I could have been back in the first week of 1987 not 1997. The signs of a boom now are not dissimilar to the signs that, in the mid-Eighties, precipitated a rush of blood to our credit cards, and pushed so many of us into debt. The Halifax has predicted a 10 per cent rise in house prices over the next two years. A Lloyds Bank survey of British businesses revealed an upturn in growth and profit and an increased financial confidence. And the surging power of the pound has made consumers braver, stronger, and less guilty about indulging their desire to shop.

What is more, the incentives being offered by chain stores, banks and credit-card companies to buy now and pay later are terribly familiar to those of us who shopped through the spend, spend, spend era of the Eighties.

Every other advertisement on television is urging me to buy a leather three-piece suite with "nothing to pay until Easter", or luring me into booking a holiday in paradise. And every day I receive yet another tempting offer through the post offering me unsolicited, unlimited, unsecured loans and credit. But here, at least, past experience has taught me something. So that while I did, indeed, give into temptation last Saturday, returning home with a clutch of carrier bags filled with Egyptian cotton sheets — I am

Serious shopping is sexy again, but Jane Gordon has learnt her lesson

the Imelda Marcos of bed linen — I paid with cash. My journey from credit-card shopper to a woman who holds on to and carefully counts out her cash is a shaming one. Looking back on my shopping history causes me more embarrassment now than it did then. I have, rather like former Tory Chancellors, conducted my spending on the boom-bust approach with little thought about long-term security. So by the time I was in my early twenties, I was, as my husband said, "earning in Centigrade and spending in Fahrenheit."

My first moment of total financial embarrassment occurred, long before the boom, when I was politely but firmly shown the door in Asprey's by a frock-coated assistant after paying for a present with a cheque that my bank manager, when they rang him, was not prepared to meet. It was the precursor to many such experiences. The time for instance, in a smart clothes shop, when the assistant was ordered by the person on the other end of the credit hotline to cut up my card in front of me. Or the day on which, after having skillfully convinced my bank manager to extend my overdraft on the ground that I needed to complete essential home improvements, I spent the entire sum on clothes.

But the worst moment of all occurred one Christmas when, with my husband at the end of his tether and me at the end of my credit limit, I found myself sneaking into one of those backstreet pawnbrokers with my rather fine engagement ring. The girl behind the counter was so suspicious of the diamond and platinum ring I offered — all the other customers had small, sad bundles of nine-carat jewellery that was not even examined, just weighed — that she had to call head office to query its worth.

There were innumerable instances of public humiliation at high street cash dispensers; I became used to

smiling at the person behind me and muttering, as I walked away empty-handed, something about my "worn-out swipe". The hall table was permanently littered with bank statements I was too frightened to open and even when I did, I could always find someone to blame.

In a way, then, the recession couldn't come too soon. In watching the fate of friends who lost their businesses, their homes or got caught in negative equity I learnt more than I had through my own, thankfully short-lived, moments of insolvency. In many

ways, too, I was more than ready to, as it were, shut up shop. Because while I was not directly affected, the recession made me realise how decadent and destructive the Eighties had been.

Even before last Saturday, though, there have been relapses. But nowadays I maintain control by limiting myself to a building society savings book that runs out of money at the same moment as I do.

And if the boom does take off, I will probably turn into the Mrs Micawber of the millennium, shaking my head and intoning: "Annual income £20, annual expenditure £19.95, result, happiness. Annual income £20, annual expenditure £20 ought and 6, result misery."

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What we need from government

Business expects a strategy for stability, says David Sainsbury

For a businessman to engage in discussion of public policy requires a certain temerity at any time. When discussions are twisted out of shape in the heat of electoral exchanges, it takes foolhardiness. My motive for contributing to the Commission on Public Policy and British Business was a firm belief that the voice of businessmen needs to be heard when government is devising policies for industry, and that business and government need to understand their respective roles and limitations.

In my business career I have seen a massive change in orthodox thinking about the role of government. In the 1970s there were exaggerated expectations about what it could achieve economically. These expectations led to excessive intervention in the economy, to government taking on the role of producer in a number of sectors and to excessively busy or intrusive regulation. Excessive hopes of government were held by all British administrations in the 1970s, and were reflected internationally.

During the 1980s, the climate changed, with a wave of deregulation, liberalisation and privatisation, much of it highly beneficial.

This gave managers more freedom to manage and raised awareness of the importance for all of us of commercial enterprise and commercial success. The Government led the way. But unfortunately the many microeconomic improvements were accompanied by an unusual degree of macroeconomic instability. The best-bought pattern of those years damaged investment and to some extent masked the benefits of liberalisation. It also enormously increased the social costs of the adjustments.

I am concerned that we emerged from that experience with expectations of government that are too low. We now know that it is companies, not governments, that create wealth but we must not lose sight of government's essential role in providing a climate in which the enterprise and skills of businessmen can flourish.

To begin with, there is a long list of underperforming companies which drag down the average productivity level. Equally important is the skill shortage in our labour force, which not only adds to firms' costs, but also encourages a concentration on products that do not require high skills, which locks many companies into a low-quality market niche. Underinvestment in research and product development, in physical capital and even in training are also consequences of macroeconomic instability. This diagnosis, I believe, points to three areas where government should do more to get the framework right: competition policy, education and macro-economic policy.

Vigorous competition in domestic markets must be central to any attempt to raise British competitiveness. There is abundant international evidence that viable national

champions arise only from the testing ground of continuous competition. Currently our competition policy is complex, uncertain in effect and time-consuming. The government should adopt the European system of fines for companies engaged in restrictive practices or placing restraints on trade. The responsibilities of the Office of Fair Trading and the Monopolies and Mergers Commission should be realigned, making the former the principal agent of investigation and prosecution, and leaving the latter to concentrate on adjudication. The Secretary of State's role in competition policy should be made transparent, through the publication of a report with reasons for his or her decisions. Everyone pays lip-service to competition, but there is no denying the relative laxity of our law or the erratic and unpredictable way in which references to the Monopolies Commission are made.

Education is another area where everyone says the right sort of thing. Yet international comparisons remorselessly tell us that while the elite part of our workforce is competitive, the average level of training and qualifications is lagging. This can only exacerbate problems of unemployment, increasing inequality and poverty in a globalising economy. The problem has to be tackled at the root, with improved teaching, teaching methods and inspection at primary school. Research shows that children benefit disproportionately from education in the early years.

We should be ensuring access to good nursery education for all children, and that primary school class sizes are falling, not rising, certainly not rising above 30. This will require some extra money, which must be found. Radical measures are also needed to train 16 to 19-year-olds, and facilities for adult education and re-education must also be expanded. Not all of these need be or should be provided by the State or at public expense, but the government has a clear role in setting out a strategy and co-ordinating provision. Finally, greater macroeconomic stability is a must. There is no magic formula, but confidence in stability would be enhanced by giving the Bank of England independent control over interest rates, eliminating manipulation for electoral convenience. That could be achieved by giving the Bank control of interest rates and a target set by the government. The target should imply continued very low inflation, but give the Bank responsibility for offsetting recessions or large swings in real activity.

This is a programme with which I believe many businessmen would agree. It is not based on any ideological preconceptions, but on a clear view of what industry needs, and of the proper roles of government and business.

The author is chairman and chief executive of Sainsbury's.

Fashion note: Supermodel Gordon is wearing a creased Tory pin-stripe, offset by scuffed suede shoes and a stained Garrick tie. Accessories include cigars, a pint of Nottingham ale, and a ticket to Ronnie Scott's.



Unlocking our canals

Could lottery money or workfare save Britain's inland waterways?

There was a time, near the end of another century, when Britain was swashbucklingly confident. Noblemen became heroes, landscapes were transformed, industrial buildings rose in graceful red-brick harmony with the landscape, and a legion of ragged unemployed were swept up in the service of the new technology. They bored through mountains, climbed hills by steps of water, solved problems. Visionary builders harnessed with equal determination the newborn power of steam, the ancient waterproofing properties of trampled clay and the sweat of hungry men with shovels. In the years before 1800, Britain built her canals.

It was the first such network and it still works, 2,000 glimmering miles of it. It carries great weights in near-silence, controls thousands of tons of water with hand-wound iron worms, dives under brick arches and flies over aqueducts, linking the backyards of cities with the open countryside and enhancing both. It was, and is, a miracle and a thing of pure functional beauty.

Two hundred years on, as we slide fretfully towards the millennium, Britain is at risk of letting that canal system fall to pieces. The British Waterways Board has had its government grant reduced in real terms by one-third over the past 12 years. Last week it signalled that there is a backlog of £100 million worth of badly needed repairs, that this winter alone repairs cost £20 million, and that the 1997-98 grant is £7 million short of the bare minimum for safety. The difficulty lies not only in maintaining navigation, but in guaranteeing the safety of householders near canal banks. For these are not natural waterways: we made them, and we must either keep them or make a conscious (and dreadful) decision to drain and abandon them. The canal system depends as it always has on brick and cement, clay puddle and earthworks and vigilance.

So the British Waterways Board wants more money. It can scratch up more, and intends to, by raising the user's licence price 30 per cent by 1999. That will not be enough (why should it be? Motorists are not billed for the full cost of roads, nor current parents for the full cost of schools. Some things must be shared). The plea for public funds is backed by the users' group, the Inland Waterways Association, which is not known for

slavish agreement with the board. And if you still doubt the gravity of the crisis, let me point out that both board and association are always understandably terrified of frightening off holiday boaters, who generate income and support, by ever suggesting that tracts of the system may have to be closed. These are bodies which dare not cry "Wolf!" unless they actually find themselves eyeball to eyeball with one.

Nor is this a routine whine for public money by an inefficient public utility: the board is quite hawkishly efficient, and more entrepreneurial than many purists wish. So this appeal may be taken as a real warning. Even in an atmosphere where Chancellor and Shadow are competing as to who can sound stingiest, it deserves to be heard.

Election procrastination does not help. The sooner the Environment Department steps in the better. The reason is obvious to anybody who has ever handled bricks, water, ironwork or earth, and knows what they do to one another. In dealing with them, a stitch in time saves ninety-nine. If the embankment of the Grand Union Canal had been fully maintained, it would not now need expensive and urgent repairs to stop it flooding Bedfordshire. If the Aire and Calder Canal in west Yorkshire — one of the few still used by profitable coal and oil boats — had been kept in order as envisaged by its original builders, it would not now be threatened with closure. The longer you leave it, the worse it gets, for canals are like children and cannot be put on hold.

Yet to avoid expensive lawsuits, British Waterways is forced to concentrate its repair budget on the areas where canals interact with motorway bridges or with housing. So what is at risk, immediate risk is the navigable network in between: those 2,000 shining miles of practical, logical beauty left to us by the Age of Reason. For an era which lists 1960s tower-blocks, pays museum curators to preserve culturally significant tins of

Beatles souvenir talcum powder, and plans (apparently) to turn the old Barr's hospital into Kenneth Baker's dream theme-park of British history, with an animatronic Wellington, we are strangely lackadaisical in our attitude to the history which is right under our noses.

Of course, canals do have friends. British Waterways reckons ten million, at least. Some walk or cycle by them, some watch wildlife along the towpaths; some sketch bridges and locks. For many, narrowboats mean holidays, educational trips and — not least — an environment fit for rehabilitation mentally and physically disabled children. I am reliably told that four days winding lock-handles and working the beautifully balanced, artistically logical timber lift-bridges on the South Oxford Canal makes more difference to some children's education and prospects than a year of psychotherapy.

Some people mend canals for love. Years ago I spent occasional weekends working with the Waterway Recovery Group on such forgotten navigations as the Stratford Canal (I would have you know that I mix a mean barrowload of cement). Much has been achieved by the crazed dedication of these wonderful people, who bought Smalley excavators with saved-up Green Shield stamps and still traverse the countryside in battered vans to sleep, aching, on village hall floors after long hours of hard labour. Their labour has reopened the derelict Stratford and Basingstoke Canals. Others have successfully campaigned for Millennium Lottery money, so that — for example — the Huddersfield Narrow Canal can now be restored from similar dereliction. But what use are such spectacular restoration projects if the main network, those canals not abandoned or derelict, is allowed to decay for want of ordinary care? If money cannot be squeezed from the Treasury, it is time to review the

strict ring-fencing of lottery money, notably the ban on its use for purposes normally supported by the public purse. To ring-fence education and health in this way was clearly wise, but canals now are part of the pleasure rather than the strict necessity of life. What sense can it possibly make for lottery boards to hurl money at controversial statues such as the Angel of the North, or a controversial spider-legged bubble at Greenwich, while avoidable ruin overtakes a precious and historic piece of infrastructure, an asset to tourism and to the nation's own sense of pride and tranquillity?

Try another radical suggestion. The estimates of the British Waterways Board are based on paying existing contractors to do the work. But much of the work is the rebuilding of canals, labour-intensive, manual work. I know, I have personally borrowed concrete across playing fields, repointed bricks, while balancing on a plank halfway down a culvert, and manned a bucket-hoist full of unspeakable ooze from the bottom of a lock chamber. Why shouldn't some of this work be done in the name of workfare or youth training or whatever, by those who otherwise have nothing to get up for? Granted, they should be paid something, rather than exploited; granted, the task of supervising them would be a skilled one. Even the most authentic heritage reconstructionists would balk at reproducing the signal-idle turf huts and the spectacular death-rate of the roving, fighting 18th-century "navvies" who gave navvies their name.

But given the success of volunteers in bringing back derelict canals, it might be worth looking at. After all, kids on job-creation schemes always complain bitterly that what they are asked to do is pointless, fake work. Working on canals is hard, outdoor graft, leaving the worker one feeling healthy and satisfied. If I were out of work, I would jump at it, especially if I then were to get a complimentary boat trip along my canal with my workmates, courtesy of a grateful Waterways Board.

There must be other answers, and you should not need to wear an anorak in order to lobby for them. We have a chance to go into the third millennium and take with us, in working order, a unique legacy that enhances landscape, leisure, understanding and the natural environment. Why leave it behind?

Clarke could lose it

Drop the single currency, says

Woodrow Wyatt

If the general election takes place on May 1 as expected, there are just over 14 weeks for the Tories to overcome the lead of about 17 per cent that the opinion polls give Labour. By May 1, perhaps the sun will have cheered us up after the terrible winter and the mood will be more favourable to the Tories. Yet people decided to elect Margaret Thatcher much more than 14 weeks before the 1979 election. There was a tide running her way which Mr Callaghan later conceded that he too had felt.

Yesterday *The Sun* published a MORI poll on how constituents say they will vote in the forthcoming by-election in prosperous Wirral South, which was held by the Tories in 1992 with 50.8 per cent of the vote against 34.6 per cent for Labour. The basic answer was depressing for the Tories: 52 per cent declared they would vote Labour; as against 36 per cent for the Conservatives and 12 per cent undecided. Notoriously in recent years governments have done worse in by-elections than general elections. With weaker party allegiances, people like to give expression to their immediate discontent with an impulse kick of irritation. When the thoughts of Mr and Mrs Wirral South were probed more deeply, 27 per cent said they may change their minds before the by-election. If they did, the Tories might just hold the seat, since probably most of the 27 per cent are dissatisfied Tory voters from 1992.

On "Who do you think would be best at handling Britain's economy?" John Major led with 38 per cent to 34 per cent for Tony Blair. On who best represents Britain in Europe, Mr Major was ahead by one point. On joining the single currency, 37 per cent were in favour and 63 per cent against.

Much credit is due to Kenneth Clarke for his successful development of the policies initiated by his predecessor, Norman Lamont, taking us first out of the world recession after our escape from the exchange rate mechanism. Britain has never been more prosperous, and the contrast with our partners in Europe is striking. These unemployment figures are the while, our falls. They have saddled themselves with the social chapter and crippling payments that employers are required to make towards social welfare. Consequently production costs are much lower. This, coupled with higher productivity per head, has made us the most flourishing exporter in Europe. We have been able to fix our own taxation and interest rates, both of which have been skillfully managed by Mr Clarke.

So far the British have shown little interest in Europe. We have had no desire to interfere in their affairs and are astonished at the extent to which the leading players in Europe wish to interfere in ours. The streams of laws and regulations from Brussels are alien to the way we have been accustomed to doing things for centuries.

This is the issue on which there is the biggest division between the Tories and Labour (plus their allies, the Liberal Democrats). But the division is blurred by Kenneth Clarke's stubborn adherence to the single currency. Shrewd and clear on many subjects, his thinking is muddled on this. He does not want to join the exchange rate mechanism, a monetary union. He would not have been able to adjust our interest rates and taxation to British advantage, or achieve our splendid recovery, if we had been part of that grand scheme, yet he persists in talking as though it would be a good idea, in which he is at odds with the Prime Minister and most of the Cabinet. He knows this open disagreement damages his party's chances, so why does he persist in it? Tony Blair is pledged to join the social chapter. He wants more majority voting, in which Britain would usually be in the minority. He wants less use of the veto. He is not prepared to be isolated in Europe as Mrs Thatcher was. Mr Major has repeatedly said he may equivocate on the single currency now, but there is no doubt that he is far more willing than the Tories to be ruled by Brussels.

On Sunday, Malcolm Rifkind said the time has come to ask Helmut Kohl and the other European leaders some questions: "What would be the European Union they would like to see in ten or twenty years' time? In what way would that fall short of federalism, because this is a very crucial issue which affects the whole of Europe... but it has never really been debated publicly. We know what we wish."

Last week *The Independent* outlined details of plans for a single system of taxation and social security for the EU. These are backed by Germany and France and would apply to all countries in the single currency. The inevitable next step would be a federal united states of Europe. Westminster sovereignty would be gone. It was over the principle of the American colonists' right to tax themselves that the War of Independence was fought and lost by us. It would be a strange irony if Brussels' sovereignty came to be represented by the British as ours was by the 18th-century colonists.

New Honors

BRITISH fashion's torrential success continues with reports that Alexander McQueen is to sign up Honor Fraser as the face of Givenchy. Miss Fraser, the sister of Lord Lovat, has been a favourite model of McQueen's from his days making bumster trousers in London, before his recent move to Paris. Now she is at the top of a shortlist to follow her cousin Stella Tennant, who last year became the face of Chanel, in represent-

ing a classically French company. Miss Fraser, 22, is in Paris at the moment, where she appeared modelling McQueen's first couture collection for Givenchy on Sunday. She was watched by several members of her family.

The show, which drew heavily on Greek myths, with horns and feathers all over the place, induced the sort of swoons in fashion editors that makes Tory admiration of the Spice Girls look like

nonchalance. McQueen's, like Miss Fraser's, is definitely a stock worth buying.

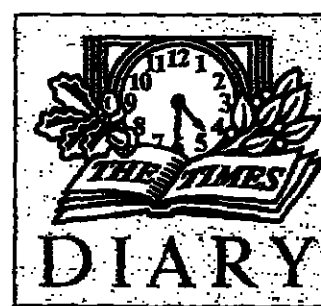
Honor's appointment could be the climax to a short career which has seen her plucked from the drafty corridors of Beaufort Castle, the former Fraser home in the Highlands, by her cousin, the star-making stylist Issy Blow.

Since then, she has taken her heathery glamour to the couture shows and the lucrative advertising game. Mrs Blow, the closest McQueen has to a muse, has been in discussions with Givenchy herself about formalising her role.

Glaring reports of the atmosphere in Washington at President Clinton's inauguration yesterday were given by a couple of Radio 5 Live reporters stationed in the cold on Capitol Hill. Despite freezing conditions, they talked of a friendly crowd reminiscent of the best of flag-wavers at royal ceremonies in Britain. When they turned their backs for a minute, their microphone was stolen.

Taste trouble

THE Duchess of York is motoring onwards as America's favourite product-endorser. She started selling cranberry juice on American TV last night for a fee of half-a-mil-



lion dollars. She has also been in discussions with Volkswagen, which I'm told is keen to employ her as its saleswoman on national television in America.

A sticking point yet to be overcome is the slogan Volkswagen plans for its advertisements starring the duchess, which is something along the lines of "Not as expensive as it looks". We wouldn't want the duchess to look cheap.

Rosé

ROMANIAN wine is to be boycotted by gay rights groups from tomorrow on account of the Romanian Government's tough line on homosexuality. It is the second biggest importer of Romanian wine, dark earthy stuff which will be sorely hit by the withdrawal of what adver-

tisers like to call "the pink pound". Romania currently has a Bill awaiting the signature of its President which makes gay sex illegal if it causes a "public scandal". A public scandal, according to the gays' interpretation of the law, is caused when two or more people find a particular homosexual relationship offensive. Back to the chiblis for Soho.

Raw garlic is the fuel for the Coliseum's rumbustious new production of Rossini's *Italian Girl* in Algiers. The bowl of spaghetti?

FOR anyone making the case that a Labour government would explode with dissent, Leeds North East could be useful evidence. Fabian Hamilton, the Blairite prospective Labour candidate, has been summarised to appear at Leeds Magistrates' Court on August 31 in a private prosecution. Labour officials say it is the work of Hamilton's left-wing opponents. Hamilton's walk-out is his business history, which includes two liquidated printing companies and seven county court judgments against him for non-payment of tax, debts, all of which remain settled. The latest prosecution concerns alleged fraud in his printing business and smells like revenge for the vicious dust-up over Liz Davies, the leftwinger who won her party's local nomination only to be detected by Labour's National Executive Committee.

picked at by the cast during the second act is packed with the stuff. "Garlic is good for the vocal cords, and vening too," says the soprano Della Jones, who plays Isabella. But the orchestra may soon be wishing it were sitting a little further away.

Yorkshire post

FOR anyone making the case that a Labour government would explode with dissent, Leeds North East could be useful evidence. Fabian Hamilton, the Blairite prospective Labour candidate, has been summarised to appear at Leeds Magistrates' Court on August 31 in a private prosecution. Labour officials say it is the work of Hamilton's left-wing opponents. Hamilton's walk-out is his business history, which includes two liquidated printing companies and seven county court judgments against him for non-payment of tax, debts, all of which remain settled. The latest prosecution concerns alleged fraud in his printing business and smells like revenge for the vicious dust-up over Liz Davies, the leftwinger who won her party's local nomination only to be detected by Labour's National Executive Committee.

P.H.S



Alexander McQueen may be about to sign Honor Fraser





TAX AND SPEND

Labour has promised to be frugal with both

It has taken a long time, but at last Labour has made public its proposals for income tax and spending. The promises not to raise either the basic or the top rate for the lifetime of the next Parliament and the pledge to stick within the Tories' planned spending totals for two years bind a future Labour Chancellor more tightly than any of Gordon Brown's predecessors have been constrained. We have long argued that Labour should come clean about its intentions: Mr Brown has burnished his party's electoral image with boldness and vim.

The maintenance of the two income tax rates sounds all the more electorally attractive because it is these rates on which the Conservatives have based their claim to be a low-tax party. Whatever has happened to VAT, to excise duties, to company car rates or to allowances, the fact that the basic and top rates of income tax have been cut has been the Tories' totem. Mr Brown has shown that he can play that game too. Yesterday's promises do not preclude his cutting allowances or tax relief, or indeed levying higher tax elsewhere; but if the argument has been reduced by the Conservatives to income tax rates, he can win votes by pledging to leave them be.

This is sensible economic policy too. As far as possible, governments should aim to cut marginal rates of income tax, even if that means reducing allowances or tax reliefs. Tax rates affect incentives to work; reliefs can distort the system. Few now believe, for instance, that the goal of encouraging yet more home ownership is worth the £3 billion a year that mortgage tax relief costs the Treasury.

But if Mr Brown's promises on income tax can be believed, what about his pledges on public spending? He has undertaken to live within Kenneth Clarke's spending plans for the first two years of a Labour government. This has the virtue of making his tax

promise more credible: if he does not plan to increase spending, he will not need to raise taxes. Yet even a Conservative Cabinet would have difficulty remaining within the departmental totals set out in the Budget. Labour would surely fare worse.

From nurses to teachers, council leaders to dustmen, there would be millions of people thinking that Christmas had come in May if Labour won the election. For 18 years, they have been consoling themselves that all will come right when their party is in power. Tony Blair and Mr Brown have been doing their best to disillusion these client groups. But hopes are not easily dashed in advance.

If Labour won, Messrs Blair and Brown could only hold the line against these pressures by being particularly robust in the first two years. If they did not set a tough precedent, they would be overwhelmed by demands and public spending would spiral out of control. Both men seem determined not to let their plans be derailed in this way: they have studied the mistakes of past Labour administrations and do not intend to repeat them. But that is not to underestimate the difficulty of the task.

When public sector disputes break out under Labour governments, the Cabinet is more likely to divide. Some of its members instinctively side with the claimants. If Labour got in, and Mr Brown delivered on his promises, he would become the most unpopular Labour Chancellor since Stafford Cripps.

Whatever one thinks, however, about the chances of Mr Brown being able to stick to Mr Clarke's regime, it is encouraging that he intends to try. Whichever party wins power will have to keep fiscal policy tight in the interests of the economy. Whether Labour's resolve would hold can only be tested in government. But success would be even less likely if Mr Brown had not said what he said yesterday.

PROMISED LAND

Clinton spoke eloquently of his second term

Four years is evidently an eternity in politics. When he took the oath of office for the first time Bill Clinton offered an energetic vision of the Federal government's role in American society. In his second address Mr Clinton put forward a rather different formula, one that relied more on the power of the American people than their institutions in Washington. Although he professed that the great debate on the role of government was largely over, the settlement he outlined was on different terms from that which he once articulated. The quest for consensus rather than dramatic innovation or change represented the predominant theme this time.

It was a rather better speech than that of four years ago. Then his words echoed campaign themes too closely. He reiterated the chant of change 11 times in barely 15 minutes. In so doing he failed to reach out beyond the 43 per cent of Americans who had supported him in the 1992 election. On this occasion he spoke in more presidential terms. His focus on the information age and aspirations for a land of new promise will have commanded wider backing. The emphasis on hope and progress fits well with the American spirit. His faith in technological advance as the engine for American influence in the next century is one that many of his partisan opponents, notably Speaker Newt Gingrich, would strongly endorse.

The President was at his most effective when dealing with the contentious issue of race. Even at the lowest moments of his first term, he was never more passionate and eloquent than when appealing for greater harmony and understanding across this most persistent and painful of American divisions. Speaking as he did on the

birthday of Martin Luther King Jr, he again displayed an ability to talk directly to black citizens in a manner that few other white politicians can match. This is not an area where presidents can ever hope to succeed by legislation alone but where example and language carry some value. His rhetoric will have made a powerful impression.

Mr Clinton closed his remarks with an appeal for co-operation between President and Congress. Whether such a relationship can be found and what policy consequences flow from it will be the true test of his second term. He offered very few specifics in that regard, although this was, in truth, hardly the appropriate forum. His real opportunity will come shortly with the publication of his budget proposals and the State of the Union address. He used his platform yesterday to call for a smaller and more efficient government. He called for a balanced budget but not one that would unbalance national values. The Republican leadership in Congress can be forgiven for uncertainty about what all this will mean.

That political struggle lies in the future. Mr Clinton may find that the debate over the role of government, far from having ended, lives on with some vigour. That in itself would not condemn the next four years to stalemate and failure. The outlines of an accommodation between the President and Congress exist if both sides choose to follow them. Republicans have discovered over the past two years that there are sharp limits on how far they can advance their preferences unless they are willing to compromise with the White House. Mr Clinton knows his reputation in history is dependent on delivering such a bargain. On that basis his second term, like his second inaugural address, could prove more productive than his first.

WE INTERRUPT THIS CALL...

Advertisement breaks could soon pay the 'phone bill

Hello, Mrs Parent? May I speak to Louise, please? It's about these moles in our chemistry homework. I simply can't dig the little brutes. I promise this won't take even a nanosec... Oh, hi there, Weasel. Did you watch *Blindfold Romance*? Why did she choose that officer with the snooty voice? But that boy from Birmingham. Wasn't he WICKED? Gorgeous. Giggles, giggles.

You'll wonder where the dandruff goes when you wash your hair with *Fragrant Rose*. I didn't know you had dandruff. I don't. And that's because the lady shampoos with the only preparation that is both medicated and a conditioner: the authentic *Fragrant Rose* of the stars. Girls! Are you worried because you have thinning hair? Relax — nobody has fat hair. But *Fragrant Rose* will make your hair run down your back. Pity it's not still on your head.

Hello, Darling! Is it all clear to speak now? Oh, it seems ages since I saw you. I miss you too, Miss Piggy. I thought we might slip out tonight to this wonderful little Welsh bistro I have discovered. Right off the beaten track. Miners' lanterns and lather bread all round. It's very romantic. But you need to be like hungry also. They do this wonderful hedgehog en croûte with a touch of aniseed. SLAP. BANG. Ouch. Congratulations! You have been Bullmored. A Bullmore chocolate bar a day helps you work, rest and stay aloft. The actual brand name may vary according to the royalties offered. But

the Bullmore bar confers majesty on the refrigerator of a duchess. The milk in it is so fresh that only three hours ago, it was grass. The chocolate comes from imperial cocoa beans. And the wax that gives the carbohydrates is royal ruby. Food is an essential part of any balanced diet. But let there be no moaning of the bar, when a Bullmore puts out to sea. A Bullmore — the chocolate bar so good that it doesn't need a slogan!

Hello! Can I speak to the garage manager. Now look here, my good man. I am having terrible car trouble with your new machine. The engine won't start and the payments won't stop. Use the CAR spelt backwards rescue service. It thinks nothing of coming out in the middle of the week.

Ring, ring... tring, tring. [Silence. Heavy breathing.] Tickle the telephone you wrigglers. You may not give a Six X. But this is the first topless telephone ad. As the brassiere said to the top hat: You go on ahead while I give these two a lift.

Hello. Free Scandinavian Telephone? You ingenious Swedes may not have completely solved the problem of getting access to a telephone. The office manager still does not like personal calls being made from work. And the family still do not allow any time for calls from home. But the telephone bill has become easier to tear in half than a telephone directory. And the professional advertisements are often more diverting than the amateur conversation.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Thirty years on: accounts at odds on UK entry into EEC

From Professor Vernon Bogdanor

Sir, Sir Edward Heath (letter, January 18) is right and Max Beloff (January 15) is wrong. There was no reason at all for anyone to be misled as to the purpose of the European Communities in the 1960s.

I have recently been re-reading a short work entitled *The Future of British Foreign Policy*, published in 1969, by a renowned expert on the subject who declares that

the European movement seemed an open-ended one. Its methods might be economic, but its ultimate purposes were political; to end the inter-state conflicts of the western European nations by merging their sovereignties in some larger unit. Instead of maintaining the maximum of national freedom of action compatible with the common purpose, emphasis was laid upon the substitution of decisions reached through the operation of supranational machinery.

The author goes on to add that it has been repeatedly stated in connection with Britain's second application for membership of the Common Market [in 1967] that Britain accepts not merely the existing economic institutions and policies, but subject to a transitional period of adaptation — but also its political objectives.

The author did, it is true, go rather further than most supporters of European union since he believed that ultimately, the creation of a federal Europe was envisaged.

He did, however, insist that

in the long term, the logic of the argument that the European nation state is for many purposes obsolete is unanswerable. In the long run, therefore, Britain's aim must be to assume the position of leadership in Europe which she rejected almost a quarter-century ago, and to come out as an advocate of a European federal system as the ultimate objective of policy.

How, then, can anyone say that they were misled? The author of *The Future of British Foreign Policy* was Max Beloff.

Yours faithfully,
VERNON BOGDANOR,
Brasenose College, Oxford.
January 18.

From Mr Simon Heffer

Sir, Sir Edward Heath shows in his attempted repudiation of Lord Beloff that he too is not above judicious selection of facts. His recollection of the events of 1961-63 is broadly accurate, but irrelevant, as they had no direct bearing on our negotiation before signing the Treaty of Brussels in 1972. It is once he deals with the events

after 1970, when he was Prime Minister, that selectiveness takes over. He omits to mention, for example, that his mandate at the June election of that year was merely to "negotiate", not to join. In that sense, the people were given no say about membership until the referendum that followed the sham Callaghan renegotiation of 1975.

Heath then claimed entry would only occur with the "full-hearted consent" of the British Parliament and people. That consent was never obtained from Parliament. The seven-to-five majority at the end of the White Paper debate on October 28, 1971, was hardly "full-hearted". Heath says it was a "free vote", but that is an ex-Chief Whip talking. It was made clear from the spring of 1971 that any Conservative MP opposing the leadership's wish to take Britain into the EEC would forfeit any career prospects he might have entertained.

At the second reading of the Bill in February 1972 the majority was a mere eight, gained as several survivors have testified) only after unprecedented threats from the whips, including pressure being put on constituency associations to bring their members into line. Despite such tactics, the Bill only went through with the help of Labour MPs, and after Heath, afraid the Government would be defeated, had threatened a general election.

Heath never spelled out the federal consequences at the time — unlike his chief negotiator, Lord Rippon, who quite openly, during the proceedings on the Bill, owned up to the nature of the project. But this is the central sophistry of Heath's argument. The British people have many qualities, but, as he must know, assiduous daily reading of *Hansard* is not among them. They did not hear Rippon's admissions, nor Enoch Powell's accurate warnings of the inevitable federal goals. Heath himself did not even tell his Foreign Secretary, Lord Home, about the key intention to enter a monetary union by 1980 until after the Bill was on the statute book. That is the true measure of his openness not just with the people, but with his colleagues.

Essentially, Heath's recollection of his own conduct is meaningless. Politics is about perception, and the British people perceive — correctly — that they were not properly informed about the consequences of joining the EEC by the Government that took

them in. Heath's (sympathetic) biographer, John Campbell, admits this on page 686 of his life, saying the country was "hoodwinked" by Heath — curiously, the opposite conclusion to which Dr Campbell came in his article (January 11).

In the public mind Heath's record on Europe is of a piece with his other governmental achievements — such as the legacy of 26 per cent inflation, the three-day week, the prices and incomes policy, the Industrial Relations Court, the nationalisation of Rolls-Royce and the Sunningdale agreement. It is a record about which anyone without Sir Edward's obvious and underappreciated gift for self-parody would sensibly choose to keep quiet.

Yours faithfully,
SIMON HEFFER,
Gate Farm House,
Great Leighs,
Chelmsford, Essex.
January 19.

From Lord Jenkins of Hillhead, OM

Sir, There is now a sedulously propagated view that the pro-Europeans deceived the British public by presenting the issue of our membership of the European Community in terms of jobs of markets and economics and not of joining in a political union.

In the 1975 referendum campaign Edward Heath and I probably took the most active propaganda roles on the "yes" side. I was President of the Keep Britain in Europe campaign and he, as an ex-Prime Minister, was the most resonant Vice-President. When we met at the end we agreed that insofar as we had won the campaign (and the two-to-one result certainly suggested that this was so) it was overwhelmingly on the political arguments.

On the economic arguments we felt that we had at least held our own, but it was the political arguments, the questions of Britain's future orientation and of influence through Europe rather than a sterile sovereignty outside Europe which had really gripped and swayed audiences.

Such a conversation, of which I have the clearest recollection, is quite incompatible with the view that we presented Europe just as an affair of packages.

Yours faithfully,
ROY JENKINS,
House of Lords.
January 20.

Church leaders who take sides in political debate

From Mr David H. Warner

Sir, In your leading article on the participation of bishops in political debate ("Gas and gaiters", January 11), you state that the Archbishop of York, in his interview with Ruth Gledhill on the same day, "displays a most sophisticated approach to tackling what many of his colleagues" — You compare his comments with those of the Right Reverend Richard Holloway, Primate of the Scottish Episcopal Church, in what you call his "undergraduate" article in *The Church Times*.

You quote the Archbishop as saying "there is evidence from across the world that welfare destroys as much as it protects". However true that assertion may be, it very much needs to be set beside Bishop Holloway's: "The question... is whether we want to transform the reality of a world of injustice and inequality, or go on comforting ourselves for our own privileges by theoretical constructions that justify it."

Those who have read *The Church Times* article as well as Ruth Gledhill's account of Archbishop Hope's optimism may well feel that Bishop Holloway's thoughtful article is every whit as perceptive as the Archbishop's ideas, and actually points a way forward.

Yours sincerely,
DAVID H. WARNER,
41 Ox Lane,
Harpenden, Hertfordshire.
January 11.

From Professor Emeritus David Lowenthal

Sir, "Evidence from across the world that welfare destroys as much as it protects" implies, according to your

leader, that "individual moral choices matter more than collective political decisions in ensuring human dignity". This disarming gloss converts the Archbishop's dubious but untestable scepticism into historical absurdity.

Ending the slave trade and abolishing slavery, enacting adult suffrage, and providing universal and compulsory schooling, to mention but three advances toward British social dignity, were indeed all fuelled by partisan reformers. But moral zeal in each case reached fruition only by dint of collective political acts.

Yours sincerely,
DAVID LOWENTHAL,
56 Crown Street,
Harrow on the Hill, Middlesex.
January 11.

From the Venerable Dr H. Lockley

Sir, A positive feature arising from the present debate on the appropriateness or otherwise of episcopal intrusion into politics is the conclusion that politicians are beginning to take seriously the importance of moral and spiritual factors in the policies to be presented to the electorate. Recent general elections have not been particularly distinguished by this kind of emphasis. That the forthcoming one may prove to be an exception is something devoutly to be wished.

Yours sincerely,
HAROLD LOCKLEY,
21 Saxon Close,
Market Harborough, Leicestershire.
January 11.

From the Dean of St Paul's

Sir, Your leading article rightly endorses the substance and the style of Archbishop Hope's recent statement; but your provocative comment that

Welsh point of view

From the Director of Programmes, HTV Wales

Sir, I'm intrigued to know where your correspondent, Brenda Maddox, has her "Welsh fastness", as she calls it in her curious column headed "Who will speak for the Principality?" (Media and Marketing, January 15).

Curious, since she ponders the question "Which is the principal broadcaster for Wales?" and comes up with the strange observation "A battle for the honour is raging between BBC Wales and S4C."

Does HTV — by far the most watched channel in Wales — not penetrate her fastness? She obviously watches "that unloved ITV company" Carlton's programmes when she's back home in London, but despite "Welsh husband and Welsh house" she is still not quite fully focused on Welsh TV.

Yours faithfully,
MENNA RICHARDS,
Director of Programmes, HTV Wales,
The Television Centre,
Culverhouse Cross, Cardiff.

Catering for nut allergy

From Dr Richard J. Osborne

Sir, I have had a severe allergy to peanuts for at least 30 years, and have required hospital treatment for anaphylaxis (severe allergic reaction) on a number of occasions. My disability requires me to ensure that I do not inadvertently eat nuts, and I routinely check the list of ingredients in packaged food. Increased recognition of the importance of nut allergy has led many food manufacturers and retailers to improve identification of nuts and nut products on labels.

This helpful approach is now being taken to extremes. Many foods I have previously eaten safely are being labelled as "not suitable for nut-allergy sufferers", or have "nut oil" or "nut extract" added to the list of ingredients, without any discernible change in the product or its tolerability; notices have sprung up in supermarkets indicating that products baked in nut oil may be contaminated with nuts; breakfast cereal manufacturers state that any of their products may contain

the Church of England is "an Erastian foundation" [that is a political or secular foundation] cannot be allowed to stand unchallenged. The reformation of the Church in England was most certainly bound up with questions concerning national sovereignty and jurisdiction; but it was the repeated boast of our Anglican forefathers in the 16th century that "We have planted no new religion but only renewed the old that was undoubtedly founded and used by the Apostles of Christ and other Holy Fathers of the primitive Church."

It has been one of the enduring features of church polity in Western and Eastern Europe over the centuries that the temporal and the spiritual cannot be easily disentangled from each other. Certainly it is no small part of the task of an established Church to witness to the fact that the secular and the sacred are inter-related and interdependent.

An awareness of this fundamental fact of life provides the common ground on which we must all stand. Politicians must attend to the increasingly urgent questions that are being raised about values and priorities and goals. Churchmen must take account in their public statements of the political realities with which we are all required to live.

The acknowledgement that the boundary between the temporal and the spiritual, the secular and the sacred has, as you put it, "always been porous and is becoming even more so", provides for many of us the indispensable basis for serious engagement.

Yours faithfully,
JOHN MOSES,
The Deanery, 9 Amen Court, EC4.
January 13.

Virus risks in pig tissue transplants

From Professor Ian McConnell

Sir, Pigs may be good to eat but they are not yet ready to wear. I refer to the use of transgenic animal tissue in human transplantation (reports, January 16, 17). This is more an issue of biological safety than it is of ethics.

It is well known that certain epidemics arise as a consequence of recombination between the human and animal viruses. Flu epidemics are a classic example. New viruses arise by recombination events. Some of the most successful viruses (eg, pox viruses) survive largely on account of the fact that they have expropriated human genes and incorporate them into their own structure to resist defence mechanisms.

It is correct to be concerned about the transfer of pig viruses along with transgenic organs. More worrying are the additional risks of human viruses recombining with pig viruses or pig virus genes hidden within the transplanted pig tissue. The transplanted organ is a reservoir of pig DNA waiting for recombination to happen, resulting in potential new viruses of unknown infectivity. The fact that recipients of transgenic organs are also under immunosuppressive therapy adds further complications.

The transgenic organs are not a universal panacea for solving the organ donor shortage: they are a small but important step in overcoming acute rejection crisis. There remain significant barriers of immunological rejection yet to be overcome.

It is my view, in the light of the current level of knowledge on animal/human virus recombination and need for more information on pig viruses, that to proceed with transgenic animal organ transplants in humans is of unknown hazard. In terms of risk assessment the small gain in delaying rejection of transplants is far outweighed by the considerable risk of creating recombinant viruses.

It is a risk which should not be taken until we have detailed knowledge of the potential for creating recombined viruses carrying new genetic material in animal to human transplantation.

Yours sincerely,
IAN MCCONNELL,
University of Cambridge,
Centre for Veterinary Science,
Department of Clinical
Veterinary Medicine,
Madingley Road, Cambridge.

Tiger protection

From His Honour Judge Charles Harris, QC

Sir, The best way to protect the few remaining Indian tigers that Chinese stand unchallenged. The reformation of the Church in England was most certainly bound up with questions concerning national sovereignty and jurisdiction; but it was the repeated boast of our Anglican forefathers in the 16th century that "We have planted no new religion but only renewed the old that was undoubtedly founded and used by the Apostles of Christ and other Holy Fathers of the primitive Church."

Only this kind of approach, and not further "research", is likely to achieve anything worthwhile.

Yours faithfully,
CHARLES HARRIS,
The Manor,
Westcote Barton, Oxfordshire.
January 16.

Airport runway

From Mrs Katie Mallett

Sir, If the Manchester Airport Authority needs to build a second runway (report, January 16), why can't an arrangement be made to dismantle and relocate the 17th-century buildings in the way? Structures of this age have been successfully relocated elsewhere for the sake of posterity.

This proposal might not pacify the environmentalists, but it might console those who regret the passing of old houses.

Yours faithfully,
KATIE MALLETT,
15b Meynell Avenue,
Canvey Island, Essex.
January 16.

Flying success

From Mr E. H. Ruston

Sir, Each year, a pair of swallows does its 12,000-mile round trip and returns to my garden shed to produce their young.

After several million pounds of expenditure and the sophistication of satellite communications, Richard Branson does 400 miles (report, January 10). Isn't nature wonderful.

Yours etc,
HAROLD RUSTON,
Splash Close,
Thicket Road, Houghton,
Huntingdon, Cambridgeshire.
January 11.

Water buffalo

From Mr J. G. Nelson

Sir, The things you learn from *The Times* from my days in the Royal Navy (circa 1939-45) I always understood that water buffalo (letters, January 17) were Royal Marines.

Yours faithfully,
J. G. NELSON,
2 Fiske Gardens, Holton Avenue,
Oulton Broad, Suffolk.
January 17.

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046.

to die to win this marginal seat, despite the scale of the Heath victory.

Florence Patricia Alice McLaughlin had been an Ulster Unionist supporter from her school days at Asleigh House, Belfast, and held student political office when she went on to Trinity College Dublin. She became chairman of the Unionist Society, and later secretary/treasurer of the Mid-Secretary/Unionist Women's Association.

Apart from politics, she worked ceaselessly for voluntary and consumer associations, and was the first general secretary of the Foundation for Marriage Guidance. She was appointed CBE in 1975.

The daughter of Canon F.B. Aldwell, she was married in 1937 to Henry McLaughlin, a civil engineer and businessman. He predeceased her, as did one of her daughters. She is survived by the other daughter and a son.

Tsongas had battled and apparently beaten cancer in the 1980s, and his uncertain health lent a refreshing intensity to his political style. Bravely, Tsongas had been the first Democrat to declare his candidacy in 1991, a year when President Bush's approval ratings were riding high. Clinton, however, had become the front-runner by the time the candidates congregated in the Granite State in January 1992, for the opening primary.

Traditionally, New Hampshire is the primary that all future Presidents must win. But in the 1992 primary Clinton's campaign was sunk by the Gennifer Flowers and draft-dodging scandals. It was a marvel that he managed to survive it at all, let alone come in second.

Call to Economic Arms. He wore ill-fitting suits and glasses, and coughed during his speeches. But his apparent amateurishness, and his chipmunk smile appealed to the voters.

So, too, against all predictions, did his medical record. The initial cancer in 1983 had interrupted his political career and Tsongas had given up a promising career in the Senate for a lucrative job in the Boston law firm, so that if he died his family would be provided for. By 1992 the cancer appeared to have been beaten. His strength of character and family loyalty impressed voters.

Clinton, however, although he came second to Tsongas in New Hampshire, concentrated his efforts in the South. After Tsongas had won Maryland, Utah and Washington, Clinton began broadcasting negative advertisements, portraying Tsongas as a watered-down Republican who would

Corps. Afterwards he studied at Yale Law School and then went into politics.

He started on the Lowell City Council, and in 1974 took on the Republican Congressman Paul Cronin in a solidly Republican district and won. In 1978 he defeated the Republican Senator Edward Brooke. In the Senate he helped to push through a landmark Bill protecting environmentally sensitive land in Alaska.

After his withdrawal from the 1992 race, Tsongas sat on the Concord Coalition which focused attention on the budget deficit. But in 1992 cancer returned. He developed another type of lymphoma, then liver problems and finally pneumonia. However wasn't he looked from the chemotherapy in his last years, he remained, in his televised appearances, an endearingly humorous speaker.

He is survived by his wife Nicola and three daughters.

GENERAL'S LOST PLAN

Last evening a large audience, which included all the personnel of the French Embassy, except the Ambassador, who was unavoidably prevented from attending, assembled at the Conference Hall of the Institut Français du Royaume Uni to hear a lecture by Lieutenant-Colonel Agapide OMC, DSO, Assistant Military Attaché at the French Embassy, entitled "From Charleroi to the Marne".

In this lecture the object of Colonel Fagdale was to give his audience an exact idea of the events which took place in 1914, from the time of the concentration of the French armies up to the battle of the Marne, in that field of operations which was comprised between the Sambre and the Marne.

Colonel Fagdale gave an account of the battle of Charleroi, which raged from August 21 to 23. He went on to describe the natural alarm created on the last day of August, when the Allies were informed by the staff of the Fifth Army, then stationed at Laon, that a mass of German cavalry had just received orders to deploy from the district north-west of Noyon on to the plains south of Laon, which movement had forced the Fifth Army to bend its line of march towards the south-east. The removal of French Headquarters to Craonne

ON THIS DAY

January 21, 1921



The chance discovery, in the satchel of a dead officer, of a dramatic change of plan by the First World War German General Von Kluck, enabled the French to launch a surprise attack on the German flank and led to victory at the Marne.

and to Jönchery immediately followed. At the latter place, during the night of September 1 to 2, there was brought to the lecturer the satchel of a German staff officer of the Fifth Cavalry Division, who had been killed in his motor-car by a French patrol. In this satchel, destined to become historic, was found a treasure of inestimable value—a plan giving full details of the march, which started the following day, of the whole of the First German Army under Von Kluck.

The officer's satchel, which was of very large dimensions, contained in addition to food and articles of clothing, blood-stained

documents which showed that he had been to Von Kluck's headquarters for instructions and was on his way back to the 5th Cavalry Division when he was intercepted and killed. But tucked away under food and clothing was found a map, on which were traced all the movements to be undertaken after September 1 by Von Kluck's Army. The position of every column was plainly marked, with their heads and rearguards, and the hours of departure and arrival at their destinations. But what was of supreme importance was the discovery that Von Kluck's plan, already known to the French staff, of marching into the valley of the Oise, had been changed into one of a direct march on Paris, to begin on the morning of September 2.

Colonel (then Captain) Fagdale, at once telephoned this information to GHQ, and immediately followed up his message by sending the map and other documents by motor-car to the same destination. The telephone message and the map have been carefully preserved, and there can be little doubt that to this discovery is mainly owing the success which attended General Gallieni's manoeuvre of throwing a hitherto unknown and unsuspected army on Von Kluck's flank, with the resultant victory of the Marne and the German retreat to the Aisne.

A whole new ball game for former ice hockey ace

Rodney Hobson on a specialist sports shop attracting customers from afar

A former ice hockey international working as a backstage technician at the Royal Opera House has finally achieved his true goal in life: running a soccer shop in southeast London.

Geoffrey Williams's ice hockey career was cut short by injury, and the bad luck continued when he injured his arm while working at the Royal Opera House. After surgery he realised that he could not continue.

He says: "I had the idea of a shop in the back of my mind for several years. My son Sam, who is now aged nine, is an extremely talented football player who can hold his own with boys three years older than himself."

specialist. Customers come 30, 40 or even 50 miles. If I cut the room allocated to football in my shop to bring in other sports I wouldn't be a specialist. I would be a run-of-the-mill sports shop."

Mr Williams says replicas of strips worn by top teams are his bestselling line, although he admits they can be expensive, retailing at between £55 and £70. Mr Williams says fans in southeast London can get to his outlet more easily than visiting club shops. Although Charlton Athletic are the nearest Football League team, the club shop provides direct competition so sales of the Charlton strip are affected.

Mr Williams went through a bit of coaching himself before opening up. Through Solotec, the South East London Training and Enterprise Council, and Greenwich Enterprise Board he learnt about accounting and sales projections. Ron Storey, at Greenwich Enterprise Board, advised him to reject an offer of a partnership that was initially attractive but not in Mr Williams's long-term interests.



Williams coach

"I coached him from the age of five and he was far better than I imagined him to be. I took FA coaching badges so I could carry on coaching him. Then as I got further on I got called in by Sunday and youth teams to coach."

Plumstead was not an obvious choice for a football shop but Mr Williams lives in the area and suitable premises came available at the right time. "It was perfect for my idea," he says. "The nearest good football shop was at least three or four miles away. I was not worried about being a bit on the outside because I wanted to try to attract customers to come to me rather than rely on passing trade."

Mr Williams considered widening the scope of the shop to other sports but decided to concentrate on football. He says: "I would rather have people travel some way to my shop because I am a

Football, last May. His idea was to get established in time for this season. However, Euro 96 helped his business to a flying start.

The shop now provides employment for his wife, two full-time staff and one part-time.

He says: "Football has become our whole life. It has been a bit of a pain at times, but it has been good to us. If Sam makes it to the top, it will all have been worthwhile."

Focus on digital cameras leads to award



A SOFTWARE company that switched into making digital cameras has won the Surrey Business Award for innovation (Rodney Hobson writes).

NBA Quality Systems had one big customer, British Rail. The work involved preparing BR's

inventory prior to privatisation and, when fees began to decline, Nigel Biggs (above), NBA's managing director, saw the business potential of digital cameras. Camera manufacturers all provide basic software to capture images electronically rather than on film but use

different programs. Mr Biggs developed a standard interface to link all digital cameras to personal computers.

At the end of last year Business Link Surrey helped him to prepare a business plan so that he could launch the Digital Camera Company.

Firms face fines under new pension deadline

BY A CORRESPONDENT

THOUSANDS of small and medium-sized firms could face fines and legal sanctions for failing to comply with new pensions legislation in time. Johnstone Douglas, the employee benefit consultancy, says rules introduced by the new Pensions Act come into effect in April, but the Government has left a very short period for company schemes to meet stringent requirements imposed by the Occupational Pensions Regulatory Authority (Opra), the new watchdog.

Doug Johnstone, Johnstone Douglas managing director, says: "From our own experience, we believe that almost 90 per cent of small and medium-sized firms

have not yet taken advice on the implications of the new legislation and simply do not understand what needs to be done. There is a real danger they are going to fail to comply by default and Opra may then impose significant fines and other legal sanctions.

"This legislation really has teeth and we urge every company with a pension scheme to take steps to ensure they are on top of the situation."

Under the new legislation, the Opra watchdog can impose sanctions for a variety of infringements, including failure to make arrangements for pension fund members to nominate trustees.

Simple guidelines for improving cashflow

BY RODNEY HOBSON

SMALL businesses can follow simple steps to improve cashflow, according to Paul Hancock, sales and marketing director at International Factors.

Mr Hancock's tips include:

- Plan purchases from your suppliers to coincide with payments from customers. This means you do not have to use your overdraft.
- Buy new equipment on finance leasing. This provides medium-term funding and allows new technology to be introduced within a structured and realistic payment plan.
- Try to pace new orders so that the company is not overstretched. Growth should be in harmony with the finance available.

Finance assets over the life of the asset. For example, leasing for plant and machinery.

- Keep your bank manager informed.
- Consider credit insurance, which can be a vital safeguard against customers who cannot pay.
- If you use factors or insurers, ask them to vet new buyers for creditworthiness.

International Factors is the factoring arm of Lloyds Bank. Mr Hancock says: "No business can survive without access to cash. If a company is growing fast, lack of funds can mean it cannot meet new orders, buy new equipment or employ essential staff."

Two new agents have been appointed by Linc, the Local Investment Networking Company set up in 1987 as a non-profit business angels organisation to match private investors to companies seeking finance. The new agents, bringing the total to 12, are Cardiff & Vale Enterprise, serving South Wales, and the CBV Enterprise Centre, covering south London, Surrey and Sussex. Details: 0171-236 3000.

Gordon Brown, the Shadow Chancellor, will be the main speaker at a conference for family-run and owner-managed businesses at the Park Lane Hotel, central London, on January 31. The conference, called "How to Build Success for You and Your Business", is being organised by Clark Whitehill, the London accountancy firm. Cost: £199. Details: 0171-434 3711.

A mini-guide to insurance, tax, training and other issues has been produced by Home Business Alliance, the support group. It has been accepted for distribution by Britain's 1,100 jobcentres. For details of The Smart Guide to Working from Home, call 01254 658850.

The 1997 Export Award for Smaller Businesses (fewer than 200 employees, with sustained exports growth during the past year) will bring prize money and services worth more than £9,000 to five winners. Closing date: March 14. Entry forms from DTI regional offices, Business Links, or 01342 326972.

Some 22 small craft companies from Wales are exhibiting at Showcase Dublin, Ireland's premier gift trade fair, this week.



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Human rights campaign is political

Regina v Radio Authority, Ex parte Bull and Another
Before Lord Woolf, Master of the Rolls, Lord Justice Aldous and Lord Justice Brooke.

Judgment December 17.
To promote the observance of fundamental human rights by campaigning to change the laws or policies of foreign governments was a political objective. Therefore, the Radio Authority was entitled to conclude that Amnesty International (British Section) was a body whose objects were mainly of a political nature and that it was prohibited from advertising on the radio by section 92(2)(a)(i) of the Broadcasting Act 1990.

The Court of Appeal so held in a reserved judgment dismissing an appeal by David Bull and Nigel Wright, International (British Section) against the dismissal by the Queen's Bench Divisional Court (Lord Justice Kennedy and Mr Justice McCullough) (*The Times* July 23, 1995) (Q.B. 169) of their application for judicial review of the decision of the Radio Authority that radio advertising by Amnesty was unacceptable under section 92(2)(a)(i) of the Broadcasting Act 1990 and under rule 8(a) of the Radio Authority Advertising Code.

Section 92(2)(a) provides that a licensed service must not include: (i) any advertisement which is inserted by or on behalf of any body whose objects are wholly or mainly of a political nature; (ii) any advertisement which is directed towards any political end.

The practice notes to rule 8(a) of the code drawn up by the authority pursuant to section 93 of the Act provide: "The term 'political' here is used in a wider sense than 'party politics'. The prohibition includes, for example, issue

campaigning for the purposes of influencing legislation or executive action by local or national government."

Mr Nigel Fleming, QC, Mr Peter Duffy and Mr Sean Wilken for the applicants; Mr David Pannick, QC and Ms Dinah Rose for the authority.

THE MASTER OF THE ROLLS said that the effect of the authority's decision was to ban further advertising by Amnesty. The ban was imposed because the authority had decided that Amnesty was a body to which section 92(2)(a)(i) of the 1990 Act applied.

The first issue was whether the authority had correctly interpreted the provisions of section 92. The second was whether the authority had properly applied section 92 to Amnesty.

Interpretation. Section 92(2)(a)(i) contained a restriction on advertising by a body whose objects were wholly or mainly of a political nature. "Body" was defined by section 202 as "a body of persons whether incorporated or not, and includes a partnership." There was no statutory definition of "objects". "Wholly or mainly" or "political". The proper meaning of each of those words was important in determining the outcome of the appeal.

The definition of "body" helped in reaching a conclusion as to what the section was referring to as being "objects". Where a body formally set out its objects his Lordship would expect the authority to decide, at any rate in the first instance, whether the body's objects fell within the subsection by doing no more than examine the statement of its objects.

Where, however, there was doubt as to whether the formal statement reflected the true position or it was not possible to

determine the position by merely looking at the objects, the authority was quite entitled to examine any other material which was available. In doing so the authority had to decide the purpose for which the body existed, recognising that a body might exist for more than one purpose.

Where there was more than one object and some were political and others were not, then it might be essential to go beyond the mere formal statement of the objects in order to decide whether the objects were mainly political.

"Wholly or mainly" was a phrase the meaning of which was not free from ambiguity. Clearly it required a proportion which was more than half. But how much more? Anything between 51 per cent and 99 per cent were candidates.

Here it had to be construed as a part of a provision which restricted the ability of Amnesty to promote itself on the media by advertising. That constituted a restriction on freedom of communication. Freedom of communication was protected alike at common law and by the European Convention on Human Rights 1953 (Comm 900).

The restriction was a general one in the sense that it applied to all advertising by the body concerned, and applied to no matter how desirable a particular advertisement which the body might wish to broadcast was.

In view of that, the ambiguous words "wholly or mainly" should be construed restrictively, in a way which limited the application of the restriction to bodies whose objects were substantially or primarily political. Certainly a body to fall within the provision must be at least midway between the two percentages identified, that is, more than 75 per cent.

In *McGovern v Attorney-General* (1962) Ch 321, 340 Mr Justice Stude held that trusts for political purposes included trusts of which a direct and principal purpose was to procure changes in the law or policies of this country or a foreign country. That was the approach the authority submitted that it had applied in determining the status of Amnesty.

Section 92(2) contained a reference to party political and "political" in section 92(2)(a) was not used in that sense. No better guidance was available as to what was meant by "political" and his Lordship would therefore accept the authority's submission.

Amnesty submitted that there was an important qualification to be made. An object would not be political if it was being promoted with the observance of human rights since those were regarded as being fundamental in international law and recognised by article 25 of the United Nations Charter. To promote their observance, even though it involved having to change the law or the policies of governments, was merely to promote the observance of the law.

The problem with that submission was that it made no allowance for the fact that, regrettably, the laws and policies of many countries did not match the standards set by the United Nations Charter. To campaign to change those laws and policies so that they did comply with the Charter was political even though it was also commendable.

His Lordship had come to the conclusion it would not be right to allow the appeal and quash the decision for the following reasons: 1 The authority was a regulatory body consisting of lay members

which was intended to take a broad brush approach to its task. Under section 92(1) it was required to do all that it could to secure that the rules specified in subsection (2) were complied with. That rather unusual statutory provision did not create an absolute obligation but instead placed an obligation to do its best.

2 The onus was on Amnesty to show that the authority had transgressed. If the authority had gone wrong, which was not clear, it was not because of want of trying to reach the right result.

3 From an examination of the different elements of section 92(2)(a)(i) it was apparent that it was difficult to identify with precision the parameters of the paragraph. The language of the authority therefore allowed the authority a reasonable degree of tolerance in its application.

4 Because of its lay nature and the terms of section 92(1) the court should be prepared to allow the authority a margin of appreciation and of interference with its decision when there was a manifest breach of the principles applied on application for judicial review.

5 Amnesty was entitled to make a free application. The position was bound to be affected by the passage of time since the decision and it was preferable that the whole issue should be reconsidered in the light of the court's judgments on its application.

6 Both the suspended and the subsequent committal orders were defective, although on the facts Mr Nicholas had not suffered prejudice. The earlier order had wrongly included as proved an allegation of breach which had not been established and had failed to include a breach which had been proved. The later order had failed to particularise the breach of the suspended order, had been drawn on the prescribed form, county court form N79, from which the statement that the contemnor could apply to purge his contempt had wrongly been deleted, and had included wrongly a breach not relied on in the committal application.

Lord Justice Brooke gave a concurring judgment and Lord Justice Aldous agreed with the result.

Solicitors: Bindman & Partners; Allen & Overy.

Technical defect caused no prejudice to party

Nicholls v Nicholls
Before Lord Woolf, Master of the Rolls, Lord Justice Aldous and Lord Justice Ward.

Judgment December 20.
The interests of justice did not require a committal order to be set aside on the ground of procedural irregularity where technical defects in it had not caused prejudice or injustice to the contemnor.

The Court of Appeal so stated when allowing in part an appeal by Sidney Nicholls from Judge King, who at Worcester County Court, had ordered his committal to prison on the application of Angela Nicholls to commit him for breach of (i) an undertaking given by Mr Nicholls in the court and (ii) a condition of a suspended custodial sentence imposed on him at an earlier committal application that he would not harass her.

Both the suspended and the subsequent committal orders were defective, although on the facts Mr Nicholls had not suffered prejudice. The earlier order had wrongly included as proved an allegation of breach which had not been established and had failed to include a breach which had been proved. The later order had failed to particularise the breach of the suspended order, had been drawn on the prescribed form, county court form N79, from which the statement that the contemnor could apply to purge his contempt had wrongly been deleted, and had included wrongly a breach not relied on in the committal application.

Lord Justice Brooke gave a concurring judgment and Lord Justice Aldous agreed with the result.

Solicitors: Bindman & Partners; Allen & Overy.

Normally Order 15, rule 5 of the County Court Rules, which corresponded to Order 20, rule 11 of the Rules of the Supreme Court, enabled a court to correct any clerical mistakes in the judgments or orders or errors arising therein due to any accidental slip or omission.

His Lordship also referred to section 15(3) of the Supreme Court Act 1981 and section 13 of the Administration of Justice Act 1960.

He said that those provisions were drafted in generous terms and where a defect in the application for a committal order or the committal order itself caused no injustice one would expect that powers would enable the Court of Appeal to overcome a purely technical error which had not caused any prejudice.

His Lordship cited the earlier authorities to indicate that they showed no common pattern of approach although the later cases made clear that it was now recognised that Order 59, rule 10(3) of the Rules of the Supreme Court and section 13(3) of the 1960 Act gave a court power to rectify procedural defects both in the procedure leading up to the making of the committal order and after it had been made.

Like any other discretion, the discretion provided by the statutory provisions had to be exercised in a way which in all the circumstances best reflected the requirements of justice.

In determining that, the court had not only to take into account the interests of the contemnor but also those of the other parties and of upholding the reputation of civil justice in general.

Today it was no longer appropriate to regard a committal order as being no more than a form of execution available to another party against an alleged contemnor. The court itself had a substantial interest in seeing that its orders were upheld.

If committal orders were to be set aside on purely technical grounds which had nothing to do with the justice of the case that had the effect of undermining the system of justice and the credibility of court orders.

While the procedural requirements were there to be obeyed and

to protect the contemnor, it was contrary to the interests of justice to set aside the order purely on the ground of technicality if there was non-compliance with the requirements which did not prejudice the contemnor.

Therefore in the future it should not be necessary to revisit the authorities prior to *M v P; Butler v Butler* (1993) Fam 167.

It should be recognised that Order 59, rule 10 and section 13(3) gave the court a discretion which it was required to exercise. To decline to do so because of a technical error was, in the absence of prejudice, to derogate from that discretion. Guidance which could be provided for the future was:

1 As committal orders involved the liberty of the subject it was particularly important that the relevant rules were duly complied with. It remained the responsibility of the judge when signing the committal order to ensure that it was properly drawn and adequately particularised the breaches which had been proved and for which sentence had been imposed.

2 As long as the contemnor had a fair trial and the order had been made on valid grounds the existence of a defect in the committal application or the order served would not result in its being set aside except in so far as the interests of justice required that to be done.

3 Interests of justice would not require the order to be set aside where there was no prejudice caused as a result of errors in the application or in the order. Where necessary the order could be amended.

4 When considering whether to set aside the order, the court should have regard to the interests of any other party and the need to uphold the reputation of the justice system. If there had been a procedural irregularity or some other defect in the conduct of the proceedings which had occasioned injustice, the court would consider exercising its power to order a new trial unless there were circumstances indicating that it would not be just to do so.

Solicitors: Middleton Dummer, Oldbury; Marshall, Worcester; Treasury Solicitor.

Preferential payments to directors of company

In re Corfe Joinery Ltd (in Liquidation)
Before Mr Justice Lloyd.

Judgment January 15.
Where a company about to go into insolvent liquidation made payments to directors of the company which constituted preferences within section 239 of the Insolvency Act 1986, the date on which the company made the payments was the date by reference to which the court was to consider whether within section 239(4), in making those payments in preference to settling debts owed to other creditors the company was influenced by a desire to put the recipients of those payments in a better position than they would otherwise have been in if the company went into insolvent liquidation.

Mr Justice Lloyd so held in the Companies Court of the Chancery

Division when dismissing an appeal by two directors of Corfe Joinery Ltd, in voluntary liquidation, against an order of Deputy District Judge Rogers in Cambridge County Court on August 9, 1996 for the repayment of sums paid to the directors on the ground that they were voidable preferences.

Miss Claire Staddon for the directors; Mr Jason Evans-Towey for the liquidators.

MR JUSTICE LLOYD said that the directors challenged the district judge's finding that payments made to them in the last days before the company ceased trading were preferences in respect of which an order under section 239 could be made.

The amounts were for the repayment of directors' loans, which put them in a better position than if

they had remained unpaid when the company went into liquidation. As unsecured creditors they would have received less than 100 per cent of the debts.

By section 239(4) an order could not be made unless the company was influenced in deciding to give the preference by a desire to produce in respect of the person preferred the prescribed preferential effect. Because directors were connected with the company within section 239(4) such a desire was presumed unless the contrary was shown.

It was argued for the directors that the date when it had to be shown whether or not the company was influenced by the desire to prefer these repayments was not the date when the relevant cheques were drawn but the date a year earlier when the directors

agreed not to call in their loans until January 1995.

His Lordship rejected that date, when all that happened was that at most the loans became repayable in January 1995. A lot of debts were repayable at that time but were not repaid.

There was an obligation to pay the directors' debts in January 1995, but it was necessary for the board to review at that time whether to honour that obligation. It was by reference to when the cheques were signed by the authorised signatories that the statutory provisions were to be applied.

The evidence established that when the company decided to pay back the directors' loans it must have been aware of the possibility of insolvency in the near future. The burden of proof was on the

directors to rebut the statutory presumption and show why the company had honoured those obligations but not others at that time, but the evidence was silent as to that issue.

The conclusion that the payments were voidable preferences was correct.

Solicitors: Mills & Reeve, Cambridge; Palmer Wheeldon, Cambridge.

Scots Law Report January 21 1997 Outer House

Copyright breach in internet headline

Sheldan Times Ltd v Jonathan Wills and Another

Before Lord Hamilton.

Judgment October 24.

The inclusion of the headlines of one newspaper in the internet website of another newspaper was, prima facie, infringement of the copyright belonging to the original newspaper.

Lord Hamilton, sitting in the Outer House of the Court of Session, so held, granting interim interdict in an action of declarator of infringement of copyright and interdict at the instance of Sheldan Times Ltd against Dr Jonathan Wills and another.

Miss Louise Milligan for the pursuers; Mr Roderick John MacLeod for the defenders.

LORD HAMILTON said that pursuers owned and published a newspaper which carried local, national and international news. The second defender provided a news reporting service, and the first defender was its managing director.

The pursuers had recently established an internet website by which means they made available on the internet items which appeared in the printed editions of their newspaper.

They had expended resources in establishing that website. It was their expectation that once that information service became known to and used by internet users, they would be able to sell advertising space on the front page of their website.

The defenders also operated a website. The front page was headed "The Sheldan News". A number of advertisements appeared on that page, and beneath those were a number of news headlines, including a number of headlines appearing in recent issues of *The Sheldan Times* as reproduced on the pursuers' website. Those headlines were verbatim reproductions of the pursuers' headlines.

A caller gaining access to the defendants' website might, by clicking on one of those headlines appearing on the defenders' front page, gain access to the text as published and reproduced by the pursuers.

Such access was gained without the caller requiring at any stage to gain access to the pursuers' front page. Thus access to the pursuers' items could be obtained by bypassing the pursuers' front page and accordingly missing any advertising material which might appear on it.

The case had come before his Lordship on the pursuers' motion for interim interdict. The grounds of action were twofold.

The pursuers maintained that the headlines were available on their website were cable programmes within section 7 of the Copyright Design and Patents Act 1988, that the facility made available by them on their website was a cable programme service within the meaning of section 7 and that the inclusion of those items in that service constituted an infringement of section 20 of the Act.

The pursuers also maintained that the headlines were literary works owned by them and that the defenders' activities constituted infringement by copying under section 17 of the Act, the copying being in the form of storing the works by electronic means.

For the pursuers, it had been argued that on each ground, there was a prima facie case and that the

balance of convenience favoured interim interdict. For the defenders it had not been disputed that copyright subsisted in the text of items appearing in the printed edition of *The Sheldan Times* and in texts appearing therefrom on the pursuers' website. It had been maintained that no copyright subsisted in the headlines.

The principal argument before his Lordship related to the alleged infringement under section 20. That turned on the definition of "cable programme" in section 7.

Counsel for the defenders had submitted that the process of internet communication did not involve sending information; that if it did, the sending was in the circumstances done not by the pursuers but by the defenders; and that, in any event, the service was an interactive one exempted by section 7(2)(a). No detailed technical information had been put before his Lordship.

In his Lordship's view the pursuers' contention that the service provided by them involved the sending of information was, prima facie, well founded.

Although, in a sense, the information passively awaited access being had to it by callers, that did not, at least prima facie, preclude the notion that the information, on such access being taken, was conveyed to and received by the caller.

If that were so, the process might arguably be said to involve the sending of that information. The fact that the information was provided to the caller by his gaining access to it through the defenders' website did not result in the defenders being the persons sending the information.

As to the argument founded on section 7(2)(a), it had been contended that because it was possible for the caller to contact the pursuers by the internet and because comments and suggestions were encouraged, the cable service was

interactive and fell within the exception. It had also been submitted that information by way of comment and suggestion could be sent to the defenders' website.

In his Lordship's view, it was plainly arguable that the exception did not apply. While the facility to comment or make suggestions via the internet existed, that did not appear to be an essential element of the service. The primary function of which was to distribute news and other items. In any event, it was arguable that that facility was a severable part of the pursuers' cable programme service.

On the information available at the hearing, and on the arguments presented by the pursuers, his Lordship's opinion, a prima facie case that the incorporation by the defenders in their website of headlines provided at the pursuers' website constituted an infringement of section 20 of the Act.

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The ITF players, their points and their values if you are considering the transfer option

Code	Name	Team	2m	Pts	Wk	Av
10101	M Watt	Aberdeen	1.50	-3	-6	
10102	N Walker	Aberdeen	1.00	0	-14	
10201	D Seaman	Arsenal	5.00	+4	+30	
10202	V Bartram	Arsenal	0.75	0	0	
10301	M Boenich	Arsenal	0.75	0	-10	
10302	M Oakes	Aston Villa	1.00	0	-19	
10401	T Flowers	Blackburn Rovers	3.00	+5	+6	
10402	S Glyn	Blackburn Rovers	2.00	0	+4	
10501	G Marshall	Celtic	3.50	0	-1	
10502	S Kerr	Celtic	3.00	-2	+3	
10601	D Kluene	Chelsea	2.50	0	+10	
10602	K Hitchcock	Chelsea	3.00	0	-3	
10603	F Grodas	Chelsea	2.00	-1	-21	
10701	S Ogrizovic	Coventry City	1.50	-3	-23	
10702	J Fylan	Coventry City	0.50	0	0	
10801	M Taylor	Derby County	1.00	0	-5	
10802	R Hault	Derby County	1.00	-5	-20	
10901	A Maxwell	Dundee United	0.50	0	+4	
10902	L Kay	Dundee United	0.50	0	+10	
11001	I Westwater	Dunfermline	0.50	0	-42	
11101	N Southall	Everton	2.50	-5	-17	
11102	P Gerrard	Everton	2.50	0	+1	
11201	G Rousset	Hibernian	2.00	-3	-24	
11301	J Leighton	Hibernian	1.50	-7	-26	
11401	D Leveque	Kilmarnock	1.00	-2	-33	
11501	M Beesley	Leeds United	1.50	0	0	
11502	P Evans	Leeds United	0.25	0	0	
11503	N Martyn	Leeds United	2.50	-2	+5	
11601	K Poole	Leicester City	1.00	0	-6	
11602	K Keller	Leicester City	1.00	+10	-8	
11701	D James	Liverpool	5.00	+5	+25	
11702	A Warner	Liverpool	0.50	0	0	
11801	P Schmeichel	Manchester United	5.00	+1	+12	
11802	R van der Gouw	Manchester United	1.00	+5	+5	
11901	G Walsh	Middlesbrough	1.50	0	-20	
11902	A Miller	Middlesbrough	1.50	0	-23	
12001	S Howie	Motherwell	1.50	-5	-25	
12101	S Hialop	Newcastle United	4.00	-4	-6	
12102	P Smith	Newcastle United	3.00	0	0	
12201	M Croxley	Nottingham Forest	2.50	-1	-27	
12202	A Fatta	Nottingham Forest	0.75	0	0	
12203	T Wright	Nottingham Forest	0.75	0	0	
12301	S Thomson	Raith Rovers	0.50	-3	-28	
12401	A Goram	Rangers	5.00	-2	+20	
12501	K Pressman	Sheffield Wednesday	2.00	-8	-5	
12502	M Clarke	Sheffield Wednesday	0.50	0	0	
12601	D Bessant	Southampton	1.00	-2	-28	
12602	M Miles	Southampton	0.25	0	+2	
12603	M Taylor	Southampton	1.00	-1	-27	
12701	L Perez	Sunderland	0.50	-2	-14	
12702	A Coton	Sunderland	1.00	0	+9	
12801	I Walker	Tottenham Hotspur	3.50	-3	-8	
12802	E Beardsen	Tottenham Hotspur	0.50	0	0	
12901	L Mido	West Ham United	2.00	0	-13	
12902	S Mouton	West Ham United	0.50	0	+5	
13001	Sullivan	Wimbledon	1.00	0	-1	
13002	P Head	Wimbledon	1.00	0	0	

Code	Name	Team	2m	Pts	Wk	Av
20101	S McKimmie	Aberdeen	2.00	0	+8	
20102	L Dbon	Aberdeen	3.00	0	+20	
20201	N Winterburn	Arsenal	3.00	+4	+26	
20202	S Morrow	Arsenal	1.00	0	+1	
20301	S Stanton	Aston Villa	3.00	+1	+29	
20302	A Wright	Aston Villa	3.00	+2	+35	
20303	O Charles	Aston Villa	2.50	0	0	
20304	P King	Aston Villa	0.25	0	0	
20305	F Nelson	Aston Villa	3.00	0	+24	
20401	H Berg	Blackburn Rovers	3.00	+3	+20	
20402	G le Seux	Blackburn Rovers	3.00	+4	+25	
20403	J Kenna	Blackburn Rovers	3.00	+3	+19	
20404	G Croft	Blackburn Rovers	1.50	0	+2	
20501	J McNamee	Celtic	3.00	0	+15	
20502	J McNamee	Celtic	3.00	0	+15	
20601	D Petre	Chelsea	3.00	0	+14	
20602	S Clarke	Chelsea	2.00	0	+7	
20603	S Minto	Chelsea	1.00	0	+3	
20701	D Burrows	Coventry City	1.50	-1	-8	
20702	S Burrows	Coventry City	1.00	0	-8	
20703	M Hall	Coventry City	1.50	0	+4	
20704	R Gensau	Coventry City	1.50	0	-2	
20801	C Powell	Derby County	1.50	+1	-1	
20802	D Yates	Derby County	1.00	0	+4	
20803	P Parker	Derby County	1.00	0	+4	
20804	M Malpas	Dundee United	1.00	-0	+34	
20901	M Perry	Dundee United	0.50	0	+22	
20902	N Duffy	Dundee United	0.50	0	-7	
21001	C Miller	Dunfermline	0.25	0	+7	
21002	A Tod	Dunfermline	0.25	-1	-12	
21101	M Hottiger	Everton	2.50	0	+4	
21102	A Whitchell	Everton	2.00	0	+4	
21103	P Phelan	Everton	2.00	-2	-4	
21104	E Barrett	Everton	1.50	-2	-11	
21201	G Locke	Hearts	2.00	0	0	
21202	N Pointon	Hearts	1.00	0	-5	
21301	W Miller	Hibernian	1.00	-4	-6	
21302	A Dow	Hibernian	1.00	-3	-13	
21401	G MacPherson	Kilmarnock	0.50	0	-15	
21501	G Kelly	Leeds United	3.00	0	+17	
21502	A Leung	Leeds United	2.50	-1	-1	
21503	P Beasley	Leeds United	0.50	-2	-13	
21504	G Hall	Leeds United	1.00	0	0	
21601	M Whitlow	Leicester City	0.50	0	+6	
21602	S Grayson	Leicester City	0.50	+8	+12	
21603	N Lewis	Leicester City	0.50	0	-3	
21604	F Relling	Leicester City	0.25	0	0	
21701	R Jones	Liverpool	3.00	0	0	
21702	S Hernandez	Liverpool	1.50	0	0	
21703	B Bjornbye	Liverpool	0.50	+4	+41	
21801	D Irwin	Manchester United	4.00	+4	+33	
21802	G Neville	Manchester United	3.00	+4	+32	
21803	P Neville	Manchester United	3.00	0	+2	
21901	N Cox	Middlesbrough	2.50	0	-13	
21902	C Morris	Middlesbrough	1.50	-1	-1	
21903	C Fleming	Middlesbrough	0.75	-1	-5	
21904	C Fleming	Middlesbrough	0.25	0	-1	
22001	M McMillan	Motherwell	0.50	0	+3	
22002	W Barton	Newcastle United	3.00	-1	-2	
22101	S Watson	Newcastle United	3.00	+1	+16	
22102	R Elliott	Newcastle United	2.50	-2	-1	
22103	J Beresford	Newcastle United	2.50	0	+13	
22104	S Pearce	Nottingham Forest	4.00	0	+13	
22201	A Healand	Nottingham Forest	2.00	0	+4	
22202	N Jerkin	Nottingham Forest	1.00	0	+15	
22301	P Bonar	Raith Rovers	0.75	0	-8	
22302	D Kirkwood	Raith Rovers	0.50	0	-8	
22401	D Robertson	Rangers	2.50	0	+18	
22402	J Brown	Rangers	2.00	0	0	
22501	I Nolan	Sheffield Wednesday	1.50	-3	+15	
22502	P Alderton	Sheffield Wednesday	1.50	-4	+7	
22503	S Nicol	Sheffield Wednesday	1.00	-1	-2	
22504	D Stracov	Sheffield Wednesday	1.00	-5	+5	
22505	L Bristow	Sheffield Wednesday	0.50	0	0	
22601	J Dodd	Southampton	1.50	0	-10	
22602	F Bennis	Southampton	0.75	0	-1	
22603	S Charlton	Sunderland	0.50	+3	+18	
22701	D Kubiak	Sunderland	0.50	0	+4	
22702	M Scott	Sunderland	0.25	+3	+8	
22703	G Hall	Sunderland	1.50	0	0	
22704	J Eriksson	Sunderland	2.00	0	-3	
22801	D Austin	Tottenham Hotspur	2.00	0	-1	
22802	C Wilson	Tottenham Hotspur	1.00	-1	-8	
22803	J Edinburgh	Tottenham Hotspur	0.50	0	0	
22804	D Kerslake	Tottenham Hotspur	1.00	-1	-5	
22805	S Carr	Tottenham Hotspur	4.00	0	+18	
22901	J Dicks	West Ham United	1.00	0	+8	
22902	T Brecker	West Ham United	1.00	0	0	
22903	K Rowland	West Ham United	1.00	0	+4	
22904	M Bowen	West Ham United	0.50	0	0	
22905	K Brown	Wimbledon	1.50	0	+9	
22906	P Tinsley	Wimbledon	0.75	0	+3	
22907	A Kinnear	Wimbledon	0.75	0	+3	
22908	K Kinnear	Wimbledon	0.75	0	+3	
22909	D Jupp	Wimbledon	0.25	0	+21	
22910	G Perry	Wimbledon	0.25	0	+21	

Code	Name	Team	2m	Pts	Wk	Av
30101	B Irvine	Aberdeen	2.00	-2	-2	
30102	C Woodthorpe	Aberdeen	1.50	-1	-4	
30201	A Adams	Arsenal	4.00	+4	+25	
30202	S Bould	Arsenal	3.00	+4	+29	
30203	M Keown	Arsenal	3.00	+3	+29	
30204	A Unghian	Arsenal	1.00	0	+8	



Thirty points is a strong performance by a midfielder, as you would expect from someone of Giggs's quality

Code	Name	Team	2m	Pts	Wk	Av
30205	S Marshall	Arsenal	1.00	0	0	
30301	G Southgate	Aston Villa	3.50	+2	+17	
30302	U Ehiogu	Aston Villa	3.00	+2	+39	
30304	C Tiler	Aston Villa	1.00	+1	+12	
30305	R Scimeca	Aston Villa	1.00	+2	+17	
30401	C Hendry	Blackburn Rovers	4.00	+4	+25	
30402	I Pearce	Blackburn Rovers	2.50	0	0	
30403	C Coleman	Blackburn Rovers	2.50	0	-3	
30404	M Walker	Blackburn Rovers	0.50	0	+2	
30501	T Boyd	Celtic	3.00	+1	+17	
30502	M Mackay	Celtic	1.50	-1	+8	
30503	A Stubbs	Celtic	3.50	0	+11	
30504	B O'Neill	Celtic	3.00	0	+2	
30601	M Doherty	Chelsea	2.50	0	+1	
30602	F Leboeuf	Chelsea	2.50	+3	+23	
30603	F Sinclair	Chelsea	2.00	0	-4	
30604	D Lee	Chelsea	2.00	0	+3	
30605	A Myers	Chelsea	1.50	-1	+4	
30606	E Johnson	Chelsea	1.50	0	+10	
30701	L Dals	Coventry City	2.00	0	+5	
30702	R Shaw	Coventry City	1.50	-1	+1	
30801	I Shtam	Derby County	2.50	0	-5	
30802	D Wassall	Derby County	1.00	0	0	
30803	P McGrath	Derby County	2.50	-2	-2	
30804	J Lawrence	Derby County	1.00	-1	+4	
30901	M Carson	Dunfermline	0.50	0	-3	
30901	S Pressley	Dunfermline	1.00	0	+36	
31001	M Miller	Dunfermline	0.75	0	-3	
31002	I den Bieman	Dunfermline	0.75	0	-18	
31101	D Unsworth	Everton	2.50	-2	+9	
31102	D Watson	Everton	2.50	-3	-8	
31103	C Short	Everton	2.00	0	+9	
31201	D McPherson	Hearts	1.00	-1	+2	
31301	R Hitt	Hibernian	1.00	0	-1	
31301	J McLaughlin	Hibernian	0.50	0	-4	
30902	B Welsh	Hibernian	0.75	-3	-7	
31302	G Hunter	Hibernian	0.50	-3	+1	
32302	S Dennis	Hibernian	1.00	0	-25	
31401	M Reilly	Kilmarnock	1.00	-1	-5	
31402	R Montgomery	Kilmarnock	0.75	-1	-5	
31501	D Wetherall	Leeds United	2.50	-1	+16	
31502	R Johnson	Leeds United	1.00	0	+2	
31503	L Radebe	Leeds United	1.00	-2	-6	
31504	J Pemberton	Leeds United	0.50	0	0	
31505	R Molenaar	Leeds United	2.00	0	0	
31601	S Walsh	Leicester City	1.00	0	+6	
31602	J Watts	Leicester City	1.00	+4	+13	
31603	P Keamerik	Leicester City	0.50	+8	+17	
31604	A Prior	Leicester City	1.00	+8	+11	
31701	P Babb	Liverpool	3.50	0	+20	
31703	M Wright	Liverpool	3.50	+4	+26	
31704	N Ruddock	Liverpool	3.00	0	+14	
31705	D Matteo	Liverpool	1.00	+4	+25	
31801	G Paillier	Manchester United	3.50	+4	+6	
31802	D May	Manchester United	3.00	0	+28	
31803	P Johnson	Manchester United	2.50	+1	+26	
31901	N Pearson	Middlesbrough	1.50	0	-9	
31902	S Vickers	Middlesbrough	1.50	-1	-11	
31903	D Whyte	Middlesbrough	1.50	-1	-13	
31904	P Whelan	Middlesbrough	0.75	0	-4	
32001	B Martin	Motherwell	1.50	-2	-10	
32002	M van der Gaag	Motherwell	0.75	-3	-5	
32101	P Albert	Newcastle United	4.50	+1	+16	
32102	S Howey	Newcastle United	1.00	+7	+15	
32103	D Blacklock	Newcastle United	3.00	-1	+15	
32201	C Cooper	Nottingham Forest	3.00	-1	+7	
32202	S Chettle	Nottingham Forest	2.50	0	+8	
32203	S Blatherwick	Nottingham Forest	1.00	0	-5	
32401	R Gough	Rangers	3.50	0	+38	
32402	A McLaren	Rangers	3.00	-1	+8	
32403	J McDermid	Rangers	1.50	+1	+20	
32501	C Peck	Rangers	2.50	-1	-11	
32501	J Newsome	Sheffield Wednesday	2.00	0	+6	
32502	D Walker	Sheffield Wednesday	1.50	-3	-17	
32503	B Linghan	Sheffield Wednesday	0.25	0	0	
32601	K Monkou	Southampton	1.50	-1	-12	
32602	A Neilson	Southampton	1.00	0	-1	
32603	R Dryden	Southampton	0.50	0	-1	
32604	R Lundqvam	Southampton	0.50	0	-14	
32605	U van Gommel	Southampton	1.50	-1	-20	
32701	A Meiville	Sunderland	1.00	+3	+23	
32702	K Ball	Sunderland	1.00	0	+11	
32703	R Ord	Sunderland	0.50	+3	+22	
32801	S Campbell	Tottenham Hotspur	2.50	-2	+13	
32802	C Caldwell	Tottenham Hotspur	1.50	+1	+11	
32803	G Mcabbutt	Tottenham Hotspur	2.00	0	0	
32805	K Scott	Tottenham Hotspur	0.50	0	0	
32806	S Nethercott	Tottenham Hotspur	0.50	0	0	
32807	R Vega	Tottenham Hotspur	0.50	-3	-2	
32901	S Bittles	West Ham United	2.50	0	+14	
32902	S Pepper	West Ham United	2.50	0	+11	
32903	S Watts	West Ham United	2.00	0	-2	
32904	R Hall	West Ham United	1.50	0	0	
32905	R Ferdinand	West Ham United	0.50	0	0	
33001	A Reeves	Wimbledon	1.00	0	0	
33003	A Pearce	Wimbledon	0.75	0	0	
33004	D Blackwell	Wimbledon	0.75	0	+4	
33005	B McAllister	Wimbledon	0.50	0	+10	
33006	S Fitzgerald	Wimbledon	0.25	0	0	

NEWS

Police Bill defeat for Government

The Government suffered a defeat in the House of Lords last night when Labour and Liberal Democrats united to overturn a key part of the Police Bill and ensured that the police must seek the authorisation of a judge, known as a commissioner, before entering and bugging homes, except in emergencies. The House voted by 209 votes to 145, a majority of 64, for a Labour amendment: it was one of the heaviest defeats for the Government since 1979. **Pages 1, 11**

Children 'turned away from hospitals'

More than 400 critically ill children have been turned away from intensive care units in the past three months because of shortages of beds and nurses, according to a survey to be published today by Labour. The Great Ormond Street hospital in London has refused 83 cases since October. **Page 1**

Tax battle

Gordon Brown and Kenneth Clarke were locked in battle after the Shadow Chancellor unexpectedly promised that Labour would not increase the basic or top rate of income tax. **Pages 1, 10, 19, 31**

GPs run out of cash

Patients awaiting routine hospital operations may have to wait longer for treatment because many fundholding family doctors have run out of money to pay for them. **Page 2**

Over and out

The broadcaster Chris Evans ended his Radio 1 career with a whimper after failing to turn up to present his breakfast show. The BBC released him from his £1.4 million contract. **Page 3**

War grave pilgrimage

Daisy Norris, a widow aged 79, has achieved a lifetime ambition to visit her husband's war grave in Libya. 54 years after he was killed at Tobruk. **Page 4**

Fashanu allegation

John Fashanu, the former Wimbledon and Aston Villa striker, earned up to £800,000 for fixing Premiership football matches, a court was told. **Page 5**

Over the limit

A woman who was almost 64 times over the drink-driving limit — the highest figure for a woman — after a vodka binge was banned from driving. **Page 6**

River mud gives up a treasure

A Roman sandstone sculpture of a lioness devouring the head of a screaming man, one of the finest and most important finds of recent years, was lifted from the mud banks of the River Almond near Edinburgh, where it has lain for almost two thousand years. It had been spotted by the local ferryman as he descended the ferry steps. **Page 3**

Ceasefire at risk

The loyalist ceasefire appeared to be collapsing after terrorists tried to murder a Roman Catholic couple and their five-month-old daughter in a car bomb attack in Larne, Co Antrim. **Page 8**

Peer turns to Labour

Scotland's premier peer, the Duke of Hamilton and Brandon, has thrown his weight behind the Labour Party. He is deeply disillusioned by the Conservatives' stewardship of the NHS. **Page 9**

Britain rebuffed

Germany and France brushed off Britain's conditions for a multi-speed Europe, underlining the gulf between London and the big EU powers in the drive to revamp the Maastricht treaty. **Page 12**

Golan hint

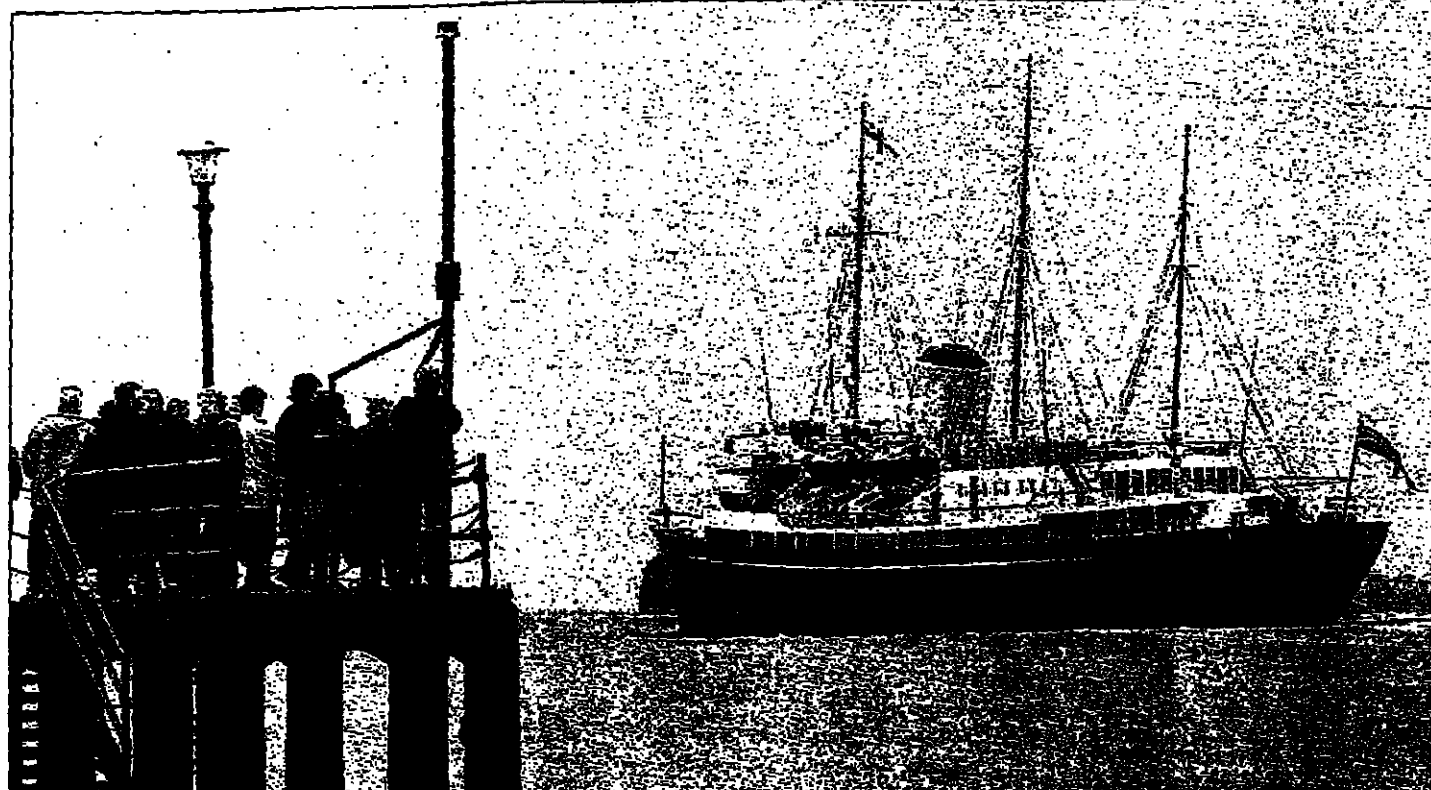
The Israeli Prime Minister modified his stance over the future of the occupied Golan Heights as part of a drive to reopen the peace talks with Syria. **Page 13**

Clinton crowned

Amid the tightest security that Washington has seen for a swearing-in ceremony, Bill Clinton intoned the 35 words of the presidential oath. **Pages 14, 19**

Back to earth

Steve Fossett, the American hot-air balloonist, floated down to the north Indian plains after abandoning his attempt to circumnavigate the world. **Page 15**



The Royal Yacht Britannia sailing out of Portsmouth for the Far East on her last major voyage before decommissioning

BUSINESS

Eurotunnel: The Channel Tunnel operator has been forced to seek an extension to the standstill on interest payments because of delays in resuming its services after the November fire. **Page 27**

Stamp freeze: The Post Office froze postal rates for 15 months and is contemplating a cut. Charges last went up in July. **Page 27**

Tesco: Better than expected sales in the run-up to Christmas strengthened the company's claim to be Britain's top supermarkets group. **Page 27**

Markets: The FT-SE 100 fell 13.7 points to close at 4194.0. Sterling's trade-weighted index rose from 96.6 to 96.8 after a fall from \$1.6683 to \$1.6630 and but a rise from DM2.6890 to DM2.7004. **Page 30**

Rugby union: England have made four changes for the Calcutta Cup match against Scotland. Mike Catt and Chris Sheehy are dropped; Richard Hill, the Saracens flanker, is the one new cap. **Page 52**

Football: Talks have taken place between the Football League and the FA Premier League about reducing the number of clubs relegated from the Premiership. **Page 52**

Cricket: England defeated Northern Districts by ten wickets with more than four sessions to spare, their second emphatic victory in New Zealand. **Page 48**

Racing: Tony McCoy, the champion National Hunt jockey, is to ride free for the rest of the season after severing his links with the Paul Nicholls stable. **Page 49**

Hyman's Hollywood: The movie version of *The Madness of King George* made the director Nicholas Hyman a hot property. Will his film of Arthur Miller's *The Crucible* be an even bigger hit? **Page 34**

Crowd pleasers: Gary Hume shows the changes in his style over the past four years and Fiona Rae demonstrates vibrant virtuosity at the Satchell Gallery. **Page 35**

Polish gloss: John Allison takes stock of the work of Witold Lutoslawski, Poland's greatest postwar composer. **Page 35**

Strains in space: Thirty years after the film *2001* turned a generation on to both Johann and Richard Strauss, Clive Davis untangles the tale of Stanley Kubrick's battle over the soundtrack. **Page 36**

Ring out the old: Even before *Evita* was released in Britain, the style was pronounced dead in America. So how long, Grace Bradberry asks, will the Givency nose-ring look survive? **Page 16**

Shopping shock: The years of recession that created a seemingly permanent rift between sex and shopping are over. But Jane Gordon still won't be tempted to go drastic with the plastic. **Page 16**

Sex at 50: Divorce unsexes you... never in my adult life had I been so long without a sexual encounter; nor ever in my life had I felt so thrillingly sensual. Marianne Wiggins on sex at 50. **Page 17**

Legal prejudice: "Lawyers have never been popular and I suspect they never will be," Robert Owen, the new Bar chairman, talks to Frances Gibb. **Page 37**

Not PC: Some Caribbean governments seem to see the Privy Council as an interference by whites in their judicial systems. **Page 41**

If there is to be a new beginning today, President Clinton needs to begin rebuilding public trust in government. If there is a mandate from the November election, it is that the voters want the people's business to get done openly and fairly, without deadlock or partisan rancour. — *The Los Angeles Times*

IN THE TIMES

INTERFACE
Soap archives: all you ever wanted to know about Coronation Street on line

PROPERTY
A million minimum: the escalating cost of family houses in central London



THE TIMES CROSSWORD NO 20,382

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 - Floral decoration in plate manufacture (5).
 - Father turning up concealed in secret (5).
 - Navigator losing his one map (4).

Solution to Puzzle No 20,381

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MASTRO ANTHROPY
AUGUR KARM
PARAPHRASE GEM
CHITRAUS
OCTROUS AMNESIA
RUIPES
BIOLOGUE FRESNET
O N V B R
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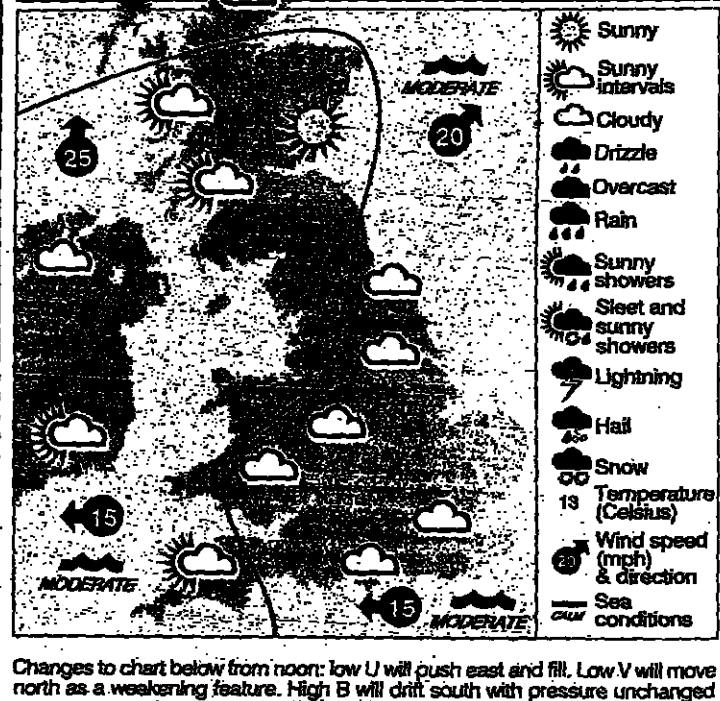
City	Sun	Rain	Max	Min	City	Sun	Rain	Max	Min
Abingdon	6.0	0.0	8	46	Leeds	1.2	0.0	7	45
Ammanford	5.9	0.0	8	41	London	1.2	0.0	7	45
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Ammanford	5.9	0.0	8	41	London	1.2	0.0	7	45

24 hrs to 5 pm: b = bright; c = clear; d = drizzle; ds = dust storm; du = dust; f = fog; fg = fog; g = gale; h = hail; i = rain; sh = shower; s = sun; st = storm; t = thunder; w = wind; x = snow; y = sleet; z = squall

ABROAD

City	Sun	Rain	Max	Min	City	Sun	Rain	Max	Min
Ammanford	6.0	0.0	8	46	Leeds	1.2	0.0	7	45
Ammanford	5.9	0.0	8	41	London	1.2	0.0	7	45
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CHANGES TO CHART BELOW FROM NOON: LOW U WILL PUSH EAST AND FILL. LOW V WILL MOVE NORTH AS A WEAKENING FEATURE. HIGH B WILL DRIFT SOUTH WITH PRESSURE UNCHANGED



TODAY

City	Alt	HT	PA	HT	City	Alt	HT	PA	HT
London Bridge	00.06	6.6	12.33	6.6	London	01.03	5.1	13.27	5.1
Abingdon	00.30	11.7	12.06	4.0	Abingdon	00.51	8.5	22.12	8.5
Ammanford	00.30	11.7	12.06	4.0	Ammanford	00.51	8.5	22.12	8.5
Ammanford	00.30	11.7	12.06	4.0	Ammanford	00.51	8.5	22.12	8.5
Ammanford	00.30	11.7	12.06	4.0	Ammanford	00.51	8.5	22.12	8.5
Ammanford	00.30	11.7	12.06	4.0	Ammanford	00.51	8.5	22.12	8.5
Ammanford	00.30	11.7	12.06	4.0	Ammanford	00.51	8.5	22.12	8.5
Ammanford	00.30	11.7	12.06	4.0	Ammanford	00.51	8.5	22.12	8.5
Ammanford	00.30	11.7	12.06	4.0	Ammanford	00.51	8.5	22.12	8.5
Ammanford	00.30	11.7	12.06	4.0	Ammanford	00.51	8.5	22.12	8.5

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London and all other designated zones by Times Newspapers Ltd, PO Box 495, Virginia Water, Surrey GU24 0PL. Telephone 011-946 2000. Tuesday, January 21, 1997. Registered as a newspaper at the Post Office.

Pressure on Scott Pickford

Scott Pickford, the geological consultancy faced further pressure from both its potential suitors yesterday.

Acrodia, the Australian bidder, has issued a writ demanding that Pickford implements an agreed share swap assuring it of a 16 per cent stake.

Core Laboratories, the US geophysical consultancy, lifted its bid to 57p per share on the condition that the share swap did not go ahead. It has given Pickford until January 27 to accept the offer, valuing the company at £7.2 million. Its shares gained 2p yesterday to close at 56½p.

Drug deal
SkyPharma, the drugs company, has agreed a deal potentially worth more than \$10 million a year with Abbott Laboratories, the US healthcare company under which Abbott would use the SkyPharma's Geomatrix drug release technology for zileuton, its asthma drug.

Rosebys rises
Rosebys, the household textiles and soft furnishings group, yesterday reported a satisfactory Christmas. Total group sales in the second half were up 18.5 per cent.

US merger
Banc One, the American bank, is to acquire First USA, a credit card issuer, for about \$7.3 billion, creating the country's third largest credit card operation.



George Burnett, managing director, left, and Peter Lewis plan to spend £77m despite the adverse sector conditions

Lloyd's plans to implement tougher regulatory regime

By JON ASHTWORTH

LLOYD'S of London has unveiled a tough new regulatory regime which will lead to speedier investigations and threatens tighter scrutiny of Lloyd's brokers.

New rules to protect names and corporate members are planned under the offensive, which will see a marked expansion of disciplinary and enforcement teams. The drive is underpinned by the appointment of a new head of regulatory proceedings, Noel Lawson, who was director of supervision at the London Commodity Exchange.

Regulation of Lloyd's is due

to be reviewed by the Government after the general election, possibly as part of a wider review of City regulation. Lloyd's is anxious to bring regulation in line with City watchdogs and has commissioned a top-level group, led by Sir Alan Hardcastle, chairman of the Lloyd's Regulatory Board, to review existing arrangements.

Sir Alan said: "The function of regulation must be to ensure honesty and competence in the operation of the businesses in the market. We must ensure that Lloyd's keeps abreast of developments in regulation elsewhere in the City."

John Greenway MP,

chairman of the all-party insurance and financial services group, welcomed the initiative. He said: "Now the future of Lloyd's has been settled, the important next stage is to re-examine the regulation of the market."

Goals for 1997 include faster conduct of investigations, stricter surveillance of the Lloyd's capacity auction process, and the introduction of new rules for the further protection of capital providers. Monitoring of individual transactions will be introduced.

Up to 6,000 individual Lloyd's brokers could be obliged to seek registration. A

consultative document will look at the need for trust accounts for client money and will consider whether conduct of business rules are desirable on matters such as best execution.

Equitas, the company that has taken on the 1992 and prior liabilities of Lloyd's, is moving to new headquarters close to the Lloyd's building. The move to Exchequer Court in St Mary Axe will be completed by July.

Unionamerica, a US-owned insurance group, has acquired a controlling stake in Jago Capital, the dedicated Lloyd's corporate capital vehicle.

Ashtead to create more than 1,600 jobs

By FRASER NELSON

MORE than 1,600 jobs are to be created by Ashtead, the plant equipment hire company, which yesterday said it plans to double its presence in Britain by the millennium.

Peter Lewis, chairman, said the company will spend £77 million, taking its number of sites from 146 to 300 over the next three years — in spite of suffering from a continuing downturn in the sector.

He added that he did not expect the pressure on rental prices to ease in the near future but still planned to open new plants at a cost of £500,000 each. Approximately 11 new jobs will be created at each site.

American operations led the profits growth in the six months to October 31, jumping from 16 per cent to 37 per cent of overall operating profit. This helped overall pre-tax profits climb to £14.4 million (£8.7 million), leaving earnings of 7.63p (6.47p) per share. An interim dividend of 0.72p (0.62p) is due on April 7.

The company spent £14 million on developing new markets in the six months to October 31, which led to new contracts with car assembly plants and orders from newly privatised rail companies. Mr Lewis said that the bulk of this spending was now complete, and that sales from the programme were expected in the second half of the year.

Ushers plans £130m market flotation

USHERS of Trowbridge, the regional brewer, is making a second attempt to join the stock market in a float expected to value the company at up to £130 million. Roger North, chief executive, said the company was floating to reduce the level of borrowing, which stands at about £65 million, and to provide for further expansion. Ushers attempted to float in December 1994, incurring costs of £835,000, but this was pulled because of market worries over its estate and the future of a contract brewing agreement with Courage.

The company claims significant progress since then and in particular has weathered the part-loss of the Courage contract by winning new deals to produce Miller Genuine Draft and Steinlager, as well as a number of supermarket own brand ales. Profits, excluding tax, for the year to October 31 increased 5 per cent to £11 million on an increased turnover of £65 million, a rise of 7 per cent. It has 542 public houses, which are mostly tenanted.

Kingsbury shares dive

SHARES of Kingsbury Group fell 27 per cent yesterday after the furniture retailer said full-year profits would fall well below current market expectations. Simon Bee, chief executive, said profits for the year to December 21 would be "usefully ahead" of the previous year, although they would fall short of current expectations. Shares initially fell to 202½p from 299½p, recovering slightly to 217½p for a net loss of 82p. The company said that it intends to increase the final dividend 25 per cent to not less than 25p a share.

Thameslink shortlist

THE four shortlisted bidders for the Thameslink rail franchise are Great London Railways, Virgin Rail, GB Railways and GOVIA. Great London Railways is a joint bid between Cowie Group and Thameslink's existing management, while GOVIA is backed by Go-Ahead Group and ViagT, the French transport group. The franchise is regarded as the most lucrative of the eight which have yet to be awarded. The Office of Passenger Rail and Franchising said it will name the winner by the end of the week.

Mitie raises interim

MITIE GROUP, the business support services company, is lifting the interim dividend 25 per cent to 0.9p a share after achieving a 27.7 per cent rise in pre-tax profits to £3.25 million in the six months to September 30. Earnings rose 23.1 per cent to 3.2p. David Telling, chairman, said: "The tide of outsourcing and of business sentiment are running in our favour, so I am confident we will continue to produce good results over the coming months and that our margins and the quality of our earnings will continue to improve."

Admiral's Venables deal

HAY & ROBERTSON, owner of the Admiral sportswear brand, has followed its deal with Ruud Gullit, the Chelsea manager, with an agreement to market a leisurewear range in the name of Terry Venables, the former England football coach. The six-and-a-half year deal also makes Admiral the kit supplier to Portsmouth, the first division team of which Mr Venables is director of football despite also managing the Australian national side.

Saltire profit warning

SALTIRE, the holding company formerly known as Cannon Street Investments, yesterday gave warning that second-half profits would be adversely affected by the strength of the pound and by sluggish demand for its electronic components and products in continental Europe. Tom Long, chairman, said Saltire's Altair and Dunnet subsidiaries would both report lower earnings despite a rise in sales and operating profits in local currencies. Saltire shares fell 14p to 77½p.

Australian deal for BAe

BRITISH Aerospace has won a \$10 million (about £5 million) contract to provide the Australian Defence Force with its first short-range aircraft detection system. The contract, under which British Aerospace will supply five radar alerting and cueing systems for the Australian Army's RBS 70 land to air guided missiles, comes just two months after British Aerospace was awarded a \$1 billion contract to supply Hawk trainer jets to the Australian Air Force.

Winter cheer for EWM

COLD WINTER weather has been good news for Edinburgh Woollen Mills, the knitwear retailer. EWM's new owners, Gramplan Holdings, the mini-conglomerate, said that in the 48 weeks to the end of December, EWM's like-for-like sales were up 12 per cent. That pace of growth was maintained in the five weeks to January 3. Gramplan's pharmaceutical division saw sales in the 12 months to the end of December up 10 per cent. Gramplan is changing its year end to end January.

Strike meetings at Ford

By OLIVER AUGUST

FORD car workers have begun a series of meetings which could result in strike action across Britain. Union negotiators and shop stewards at Halewood, Merseyside, were consulting their members yesterday on how to save the 1,300 jobs which Ford plans to cut.

Employees at Ford plants in Dagenham, Essex, Southampton, Belfast, Swansea and Bridgend in South Wales, will meet to discuss support measures. Unions officials will

meet MPs tomorrow to rally support before a crucial meeting with Ford executives on Thursday.

Ford has raised the prospect of building a new vehicle at Halewood when production of the Escort ends, but unions are sceptical and fear that the plant faces a total shutdown.

Roger Butler, executive councillor at the Amalgamated Engineering and Electrical Union, said large-scale strike activity was a distinct possibility.

Tony Woodley, national secretary of the Transport and General Workers Union, called on Michael Heseltine, the Deputy Prime Minister and a former minister responsible for Merseyside, to do more to help the Halewood workers.

He said: "He should be doing more to stop the disgraceful importing of cars and exporting of jobs which will happen because of this decision."

Elland Road offer made

By JASON NISSE

CASPIAN GROUP, which bought Leeds United football club for £16.5 million in the summer, has offered £5 million for the Premiership club's ground, Elland Road.

However, Leeds City Council, the ground's owner, says that any sale would need to be ratified by an independent valuation, and the expectation is that this would price Elland Road at about £25 million.

Caspian made the offer as part of its proposal to build a

£30 million indoor arena on land adjacent to Elland Road. It faces competition from three consortia, including one from GMI, the company run by Peter Gilman, the former Leeds United director, who tried to block Caspian's bid.

The council bought Elland Road from Leeds United in 1985 for £2.5 million and the club occupies it under licence.

Yesterday Simon Richards, assistant to Robin Laundries, Leeds United's chief executive,

confirmed an offer had been made. Leeds City Council confirmed discussions were going on.

If Caspian is to pay £25 million for Elland Road, this would bring the total cost of its plans for the Leeds Arena and the stadium to nearly £60 million, or half its current market value. Previously, Chris Akers, Caspian's chairman, has denied the company would need to ask shareholders for money for this development.

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Greece Dr	16.48
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Netherlands Gld	2.25
Norway Kr	13.40
Portugal Esc	200.00
Spain Ptas	166.67
Sweden Kr	13.40
Switzerland Fr	2.25
Turkey Lira	163.70
USA \$	1.81

Rates for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.

TNT takeover charges made

THE Australian Securities Commission has charged a senior executive at Macquarie Bank with alleged insider dealing offences in connection with KPN's \$2 billion (£1 billion) takeover of TNT (Rachal Bridge wires).

Simon Hannes, an executive in the bank's corporate advisory division, is alleged to have invested \$90,000 in options at a call price of A\$2 two weeks before KPN's A\$2.45 bid for TNT was announced.

Allan Moss, Macquarie Bank managing director, said he understood Mr Hannes intends to plead not guilty. Mr Hannes is due to appear in court next month.

Macquarie Bank, is 14 per cent owned by Lloyds Bank.

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The company is: [Name of company]
The date of removal is: [Date]
Any person who claims to be entitled to the property of the company or to the right to sue or be sued by the company should apply to the Registrar of Companies within 12 months of the date of removal.

PUBLIC NOTICES

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IN THE MATTER OF THE COMPANIES ACT 1985
NOTICE IS HEREBY GIVEN that the following company has been struck off the register of companies and its name has been removed from the Companies Register.
The company is: [Name of company]
The date of removal is: [Date]
Any person who claims to be entitled to the property of the company or to the right to sue or be sued by the company should apply to the Registrar of Companies within 12 months of the date of removal.

TRUSTEE ACTS

NOTICE OF ADVERTISEMENT
IN THE MATTER OF THE TRUSTEE ACT 1925
NOTICE IS HEREBY GIVEN that the following trustee has been removed from the register of trustees and its name has been removed from the Trustees Register.
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The date of removal is: [Date]
Any person who claims to be entitled to the property of the trustee or to the right to sue or be sued by the trustee should apply to the Registrar of Companies within 12 months of the date of removal.

LEGAL, PUBLIC, COMPANY & PARLIAMENTARY NOTICES

TO PLACE NOTICES FOR THIS SECTION
PLEASE TELEPHONE
**0171-782 7344 OR
FAX: 0171-782 7827**

Notices are subject to confirmation and should be received by 2.30pm two days prior to insertion.

□ Obscurity beckons again for Mrs Horlick □ Codes honoured more in the breach □ Think-tank ponders privatisation

Superwoman comes down to earth

□ NICOLA HORLICK can be thanked for adding a little gaiety to what would otherwise have been a drab January. As media circuses go, her departure rates only about four on the Richter scale, way behind Mandy Allwood, say, or various tireless minor royals at play.

There are no weighty moral issues at stake here, and Mrs Horlick can expect to disappear back into obscurity in due course. When the inevitable news quizzes for 1997 appear in the newspapers in 11 months time, how many ordinary readers will remember her name?

As occasional media circuses featuring the City go, however, Horlick is a lulu, up there with December 1988's Death of a Yuppie, when Morgan Grenfell pulled out of share trading and shocked brokers wept publicly in the gutters.

It is up there with Barings, which was helped by it being the Queen's bank going bust. It is far more fun than Guinness or Blue Arrow or even Peter Young, which were all about men in suits doing incomprehensible things with numbers and never really excited the front pages.

In creating her media star, Mrs Horlick started with promising ingredients and capitalised on them by hiring one of the best financial public relations advisers around, who did her proud.

She should now be advised that by next weekend the non-financial pages will have lost interest, so quit while you are ahead and for whatever you can.

Morgan Grenfell has handled the affair appallingly. It appears both tight-fisted and ham-fisted. How much was learnt from the Peter Young disaster? Most clients will probably stay loyal after this one, too, but three strikes and you're out.

The most important question is the damage done to the City's reputation by such public displays of temper tantrums and incompetence. How has this one really played in Frankfurt — and on Wall Street, where the Americans must once again be baffled by the Brits' obsession with each other's salaries?

Here are some more questions the participants might care to answer. For Morgan Grenfell, would it not have been easier to have settled quietly with Mrs Horlick and paid her a seven-figure sum including a fair chunk for keeping quiet rather than publicly suspending her?

For Mrs Horlick, would it not have been better, if all you

wanted was your old job back, to have waited for that in-house tribunal on Friday, which might have supported you, rather than flouncing out like a prima donna and deliberately starting the media feeding frenzy? You can hardly expect to walk back into Finsbury Circus again. And how far advanced were you in finding another job? Was ABB Amro the only firm that approached you, or were there others?

And to you, reader, would you ever have heard of Nicola Horlick had she been a balding, middle-aged man? And how superhuman is it to raise five children on £1 million a year?

Airtours wings remain unclipped

□ ONE should not be too surprised to discover that most companies' attachment to codes of corporate governance such as Greenbury and Cadbury is at best cosmetic. This is clear from a new submission to the Hampel Committee, which is drawing up yet another one, by PIRC, the pensions consultant. One man



less inclined than most to welcome outside interference is David Crossland at Airtours. Mr Crossland is sometimes depicted as some sort of travel trade anorak with nothing better to do with his spare time than trawl round his competitors' shops.

This may have to do with his mild-mannered appearance, but he is in fact the autocratic driving force behind the growth of Airtours into the country's second biggest travel operator, and he is not going to give up control to a gaggle of politically-correct busybodies now.

Airtours is on collision course with institutional shareholders because these have been whipped into some semblance of action by PIRC, which also

makes a habit of patrolling the badlands of the corporate governance debate and bringing in some of the harder cases for questioning.

Mr Crossland stands accused of having three out of five of his non-executives rather closer to the company than is the ideal. Verdict: guilty.

He is also accused of deliberately ramming through a potentially lucrative long-term incentive plan without seeking approval from shareholders shortly before such approval would have been mandatory. Verdict: guilty, probably.

Airtours blames it all on bad timing: the company admits it was aware of the forthcoming Stock Exchange requirement. Precious little good the fuss will do. One big institution, Schroders, with 12 per cent, has decided to back away from the final sanction, the rejection of the accounts at Thursday's annual meeting. Quiet pressure behind the scenes will be met with a polite reference to the upwards spiral in Airtours's share price.

The market expects Airtours to be taken out sooner or later by

Carnival Corporation of the US, its 29.5 per cent shareholder. That will decide just how much the new scheme is worth.

The benefits of political hindsight

□ THEY have been busy at the Institute for Public Policy Research. Not content with birthing the Commission for Public Policy and British Business, they say that utilising privatisation does not bring any intrinsic benefit. Efficiency comes instead from regulation and competition.

Just when we all thought there was barely a dividend cheque's width between Mr Blair's thinking on state ownership and the Government's, his favourite think-tank sees no obvious link between privatisation, as being practised anywhere else on the globe barring the people's paradises of Cuba and North Korea, and lower prices to consumers.

Instead, selling off the public utilities has led to bills varying widely between different water regions and big business doing better than the general public

from the phones, gas and power. Curious, the ideological tangles as old Labour, of whom this is the authentic voice, transmutes into the new coinage. If the above is true, then the better service and lower prices since privatisation could have been achieved under state ownership. Except that they were not, over a period of 40 years or more.

Except that it is inconceivable that a state bureaucracy could have halved the size of British Telecom's workforce over a decade, or cut that of the two fossil fuel generators by a third.

One might reasonably argue about the social cost of throwing so many hundreds of thousands on to the dole in return for a few bob off phone bills — except that Labour, sorry its main ideas factory, does not. The implication is that under a Labour government, the pruning would have been just as ruthless. Except that it wasn't.

Imprudent advice

□ THERE is only one lesson to be learnt from the Prudential's belated surrender to a trade union over pensions mis-selling, after the Pru had consistently denied giving customers bad advice, and it has nothing to do with financial services. The lesson is, if you are in a hole, don't try to lie your way out of it.

US price competition damages Thorn hopes

By PAUL DURMAN

FIERCE price competition in the US and an unsuccessful attempt to introduce furniture into the Radio Rentals chain in the UK yesterday forced Thorn to give warning that its profits will fall to meet City expectations.

A disappointing third-quarter trading statement from the rental business caused a further collapse in its shares, which fell 42½p to 209p. They have virtually halved in value since August, when the company was demerged from the music industry interests of the old Thorn EMI.

Thorn said the poor Christmas trading on both sides of the Atlantic will hit its final-quarter results. With the translation effect of the strong pound, Thorn said this will

leave full-year pre-tax profits "broadly unchanged" at about £170 million.

Mike Metcalf, Thorn's chief executive, said Radio Rentals was hit by an attempt to introduce furniture to the chain's existing offering of televisions, video recorders and domestic appliances. He said: "We put a lot of effort behind the furniture range but we got very little for it. Our efforts would have been much better applied to pushing out existing product range."

Radio Rentals suffered another problem with personal computers, where an attempt to sell more higher specification machines was unsuccessful.

The result was a "disappointing" 2 per cent rise in

like-for-like installations of equipment during the third quarter. By comparison, in the first half of the year, Radio Rentals' installations were rising by more than 20 per cent.

By December 31, Radio Rentals' revenue base had fallen 2 per cent below the level a year earlier. The benefit of new installations was outweighed by cancelled agreements and the loss of revenue from maturing Option-2-Own contracts.

In the US, where Thorn owns Rent-a-Center, "performance in December fell well short of expectations". Mr Metcalf said fierce competition had cut the cost of small televisions and video recorders to \$100, making it difficult for a rental business to compete. For the nine months in

the US, like-for-like turnover fell 5 per cent.

Mr Metcalf said Thorn was "very pleased" with the "excellent" results from Crazy George's, a rental chain of 54 stores that offers consumer electronics, domestic appliances and furniture to families whose annual income is less than £10,000 a year. He would not comment on the performance of the French store, which was briefly closed after complaints about its promotional material.

Unaudited pre-tax profits for the nine months reached £123 million, an 8 per cent rise on last year's pro forma total. Sales were 5 per cent higher at £1.2 billion.

Tempos, page 30

Reed Elsevier plans to buy Colofon

REED ELSEVIER, the publishing company, said yesterday that it is close to buying Colofon, a Dutch professional and business publisher, for about £45 million (Alasdair Murray writes).

Colofon, which employs 250 people, had a turnover of 70 million guilders (£23 million) for the year to the end of June.

Reed said it would be integrated into Elsevier Business Information and that the acquisition is expected to be earnings enhancing in the first year.

Colofon said that the sale was being made because of the potential benefits from being part of a larger group. The management board will join Elsevier Business Information.

Shares of Reed International rose 4p to £10.21½.

Budgens strategy brings 18% jump

By SARAH CUNNINGHAM

BUDGENS, the supermarket group, yesterday provided further evidence that its abandonment of hard-discounting has paid off by reporting an 18 per cent jump in interim profits.

In the 28 weeks to November 10, pre-tax profits were £5.04 million, compared with £4.28 million a year ago.

Sales from same stores were 4.5 per cent ahead in the half, but dipped around Christmas. John von Sprackelsen, chief executive, said that he was not surprised by the dip because customers tended to migrate to supermarkets before Christmas.

He said: "In the last 18 months we have made great strides in improving product quality, availability and value. We are now focused on upgrading the store environment by adopting a new store design concept and on improving service levels by investing in a major training programme."

Shares of Budgens, which two years ago switched its emphasis from low prices to fresh produce and good service, plans to open ten more stores in 1997. An undisclosed number of petrol forecourt stores will be opened under an agreement with Mobil and BP.

Despite tough competition in the high street from the likes of Tesco Metro, Mr von Sprackelsen said that Budgens stores occupied a secure niche: "We are complementary to discounters and to supermarkets."

Telekom dividend message

THE lacklustre performance of Deutsche Telekom shares has forced the German phone group to make an unscheduled trading statement to calm investors' fears (Oliver August writes).

The company said sales rose 6 per cent to DM63 billion and earnings were above expectations last year. A dividend of 60 pfennigs a share will be paid after official results are announced on May 13. Ron Sommer, chairman, said: "Deutsche Telekom will exceed previous estimates for the full year."

The performance of the shares has failed to match the enthusiasm that preceded the flotation in November. Offered at DM28.50, the shares rose to DM34 but have fallen to DM30. Tempos, page 30

Majestic toasts sparkling festive sales performance

By PAUL DURMAN

STRONG sales of champagne and a Chilean wine promotion helped Majestic Wine to enjoy a sparkling Christmas, with a 12.7 per cent rise in like-for-like sales for the last five weeks of 1996.

Tim How, chief executive, said Chilean wine at £2.99 a bottle was one of Majestic's biggest sellers over Christmas.

Majestic, which will open its latest warehouse store, its 62nd, in Manchester next month, was reporting its first results since it joined the Alternative Investment Market in November. Excluding an exceptional writedown of property values, first-half pre-tax profits rose to £465,000, from £114,000 a year earlier. In its prospectus, Majestic forecast a profit of at least £450,000.

Total sales were 27.7 per cent ahead at £21.9 million. As previously reported, like-for-like sales rose 14.3 per cent.

Mr How said Majestic was delighted with the growth in sales and profits. "Our Christmas sales were particularly encouraging," he said.

Sales in the quarter to December 30 increased 22.4 per cent, with like-for-like sales up 10.8 per cent.

Majestic has recently opened stores in Chelmsford, Essex; Chapel Allerton, Leeds; Epsom, Surrey; and Mayfair. It is seeking more sites. The £547,000 exceptional writedown related to stores bought in the 1980s. There is no interim payout, but a final is planned.



Tim How is looking for more warehouse sites

Victrex shares fall after warning

By FRASER NELSON

VICTREX, the specialist plastics manufacturer, lost £21 million from its market value yesterday after issuing a profit warning a week after giving a bullish trading statement at its annual meeting.

The company, which last Monday told shareholders that trading was going strongly, said its internal forecasting unit had since discovered that its exposure to currency changes was much higher than estimated.

It also said that business was showing signs of slowing down this month.

Victrex shares, which joined the market 13 months ago at 238p, plunged from 266p to a new low of 167½p yesterday before settling at 173½p.

The discovery came three days after the departure of Howard Butterworth, its former finance director, who had retired because of ill-health after three years of service.

Peter Rowley, chairman, said that Mr Butterworth was not under suspicion. He added that external auditors were being called in to investigate how the situation had not come to light earlier.

As the company generates 97 per cent of its sales from overseas, analysts estimated the impact on year-end profits would be £3.7 million, taking the 1997 forecast down to £12.2 million. Victrex made £12.8 million before tax last time.

Free calls — complete with ads

By OLIVER AUGUST

EVEN your private phone calls may no longer be beyond the reach of advertisers. A Swedish company is offering free calls to customers who are happy to endure commercials during phone conversations.

The scheme is being tested in the Swedish villages of Lund and Norrköping. Britons with relatives in either would have had their Christmas calls interrupted every three minutes by ten-second messages for chocolate bars, films and local radio stations.

Gratis Telefon, the Swedish operator, has long-term plans to bring the scheme

to Britain. But Steve Thorpe, membership services manager for the Telecom Users Association, said: "I do not think this scheme would go down too well at all in this country. We get enough ads on the television without being bombarded by them on the telephone."

"Even if a user does agree to the service, what about the person on the other end of the line. It is bound to drive them crazy. Can you imagine being constantly interrupted mid-conversation by ads for washing powder and margarine?"

BT also expressed doubts. A spokesman said: "I cannot see it catching on here. It is certainly not something we are

considering at the moment." The Advertising Standards Authority said: "The messages have to be honest and truthful to be allowed in Britain. We will be monitoring the situation very carefully."

To make free calls to any number in Sweden, callers dial Gratis Telefon's toll-free number and then that of the person they want to contact. A commercial follows while the caller waits to be connected. Then the conversation is punctuated by a ten-second commercial break after the first minute and every three minutes after that.

Leading article, page 19

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STOCK MARKET

MICHAEL CLARK

Pause for breath as the profit-takers move in

SHARE prices dipped below the 4,200 level as traders braced themselves for a period of consolidation in the wake of the market's recent record-breaking run.

An early bout of profit-taking saw prices lose ground and hopes of a late rally were scuppered by an opening fall for the Dow Jones industrial average after the weekend break. The FT-SE 100 index, down 23 points at one stage, eventually reduced the deficit to close 13.7 points lower at 4,194.0. A total of 756 million shares changed hands, well below the billion-plus levels seen last week.

Among leading shares Guinness put on 6 1/2p at 438 1/2p as NatWest Securities, the broker, urged clients to "add" to their holdings. This comes hard on the heels of last week's decision by LVMH, Guinness's biggest shareholder, to reduce its holding. NatWest believes that the recent underperformance by the shares has ended.

The profits warning from Thorn's recently demerged, sent the shares tumbling 42 1/2p to a low of 209p. Profits for the full year are unlikely to be changed on last year's figure of £170.7 million. The group will unveil further details of the problems with nine-month trading news next month. It is known that Thorn has been hit hard by currency fluctuations and rising costs associated with the Crazy George start-ups. Nick Bubb, retail analyst at MeesPierson, says the group has taken a big knock in the fourth quarter with operating profits down by 15 per cent.

HSBC James Capel has joined the growing band of brokers singing the praises of Rolls-Royce by telling clients that the shares are undervalued. Rolls-Royce put on a further 6p to 229 1/2p in the wake of comments on Friday from ABN Amro Hoare Govett and Henderson Crosthwaite. Hoare also maintains the shares are undervalued and Henderson has set a target price of 270p. Rolls-Royce has seen a pick-up in demand for its engines on the back of increased demand for Airbus and Boeing aircraft.

Charter was a strong market, climbing 18p to 75 1/2p. Brokers say there was a presentation by the company in London last week arranged by Kleinwort Benson, the broker. The company was



John von Spreckelsen of Budgens, whose shares fell 1p

described as upbeat. But the banks showed signs of boiling over after their recent strong run.

Standard Chartered fell 9p to 74 1/2p on the back of some reputed "take profits" advice from Cazenove, the broker.

Others to lose ground included Abbey National, 1 1/2p to 76 1/2p. HSBC, 17 1/2p to £14.5 1/2. Lloyds TSB, 1 1/2p to

suggesting that Tesco has begun widening the gap in market share between itself and Sainsbury. Many forecast another setback for Sainsbury.

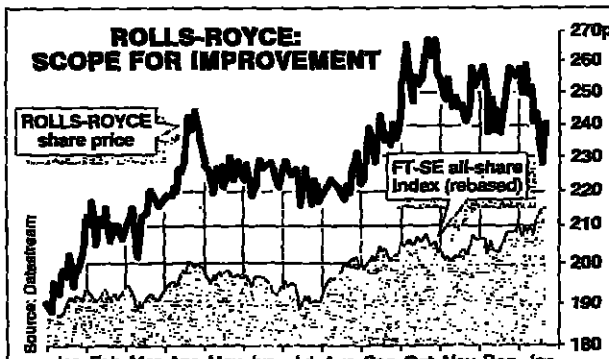
Somerfield rose 3 1/2p to 174 1/2p ahead of half-year results today, the first since the group was floated in July. NatWest Securities, the broker, forecasts pre-tax profits of £54

If FKI eventually wins control of Newman Tonks, unchanged at 153p, it could focus attention on Frederick Cooper, 1p firmer at 39 1/2p. Newman Tonks has held 5 per cent of rival Cooper for some time. City speculators say FKI is likely to eventually use that stake as the springboard for a full bid for Cooper.

456 1/2p, and Royal Bank of Scotland, 1 1/2p to 57 1/2p. Tesco responded to the better than expected trading update with a rise of 2 1/2p to 369p. The 12 per cent rise in like-for-like sales for the five weeks to January 5 could spell further trouble for J Sainsbury, Tesco's biggest rival, down 5 1/2p to 39 1/2p. Sainsbury is due to unveil its own trading update on Friday. Brokers are

million. Budgens, the stores group whose chief executive is John von Spreckelsen, reported a rise in profits at the halfway stage from £4.3 million to £5 million. But the price slipped 1p to 45 1/2p after losing out to the bigger supermarket chains in the run-up to Christmas.

Scott Pickford firmed 2p to 56 1/2p, almost matching the increased terms of 57p a share



being offered by Core Laboratories. The new terms value Scott Pickford at £7.2 million. US-based Core said it had increased the terms after Scott Pickford decided not to pursue a share exchange with Aerodata.

City investors were buying for blood after Vitex, the chemicals specialist, issued a profits warning just seven days after issuing an encouraging trading update at the annual meeting. Vitex has blamed the pound's recent strength and a slowdown in business during January, for what looks like being a 25 per cent fall in profits. Kleinwort Benson, the broker, has slashed its estimate from £15.9 million to £12.2 million. The shares finished 9 1/2p down at 173 1/2p.

A profits warning left Kingsbury licking its wounds with the price tumbling 52p to 207 1/2p. The retailer says that profits and earnings will fall well short of City expectations but will still be ahead of the £4.06 million achieved last time round.

Saltire also dropped 14p to 77 1/2p after announcing that second-half profits would be hit by the strong pound. However, a drop in demand at its Alrai plant in Europe has also caused problems.

There was selective demand for some of the high-tech stocks. CMG jumped 7p to £10.45 on aggressive buying in a thin market. Biocompatibles International continued to be singled out for new year recommendations, with the price leaping a further 35p to a peak of 935p.

GILT-EDGED: A late bout of profit-taking took the shine off a promising start and left the bond market nursing losses for the first time in nine days. Prices were marked high at the outset and reached their peak around midday.

The March series of the long gilt touched a high for the day of £111 1/2, before retreating to finish three ticks easier at £110 1/2 as a total of 45,000 contracts were completed.

Treasury 8 per cent 2015 rose 1/2p to £104 while Treasury 8 per cent 2000 was a tick off at £103 1/2.

NEW YORK: Shares were marked lower initially on the Dow Jones industrial average, which was 16.55 points down by midday. At the same time, an earnings-driven rally in Microsoft put the Nasdaq ahead by ten points.

MAJOR INDICES

New York (midday):
Dow Jones 6816.55 (+16.55)
S&P Composite 775.56 (+0.51)

Tokyo:
Nikkei Average 17480.34 (+69.74)

Hong Kong:
Hang Seng 13868.24 (+11.84)

Amsterdam:
EEX Index 673.63 (+3.59)

Sydney:
All Ordinaries 2444.2 (+8.7)

Frankfurt:
DAX 3030.06 (+29.31)

Singapore:
Straits Times 2271.88 (+27.67)

Brussels:
General 1118.62 (+6.62)

Paris:
CAC-40 2406.10 (+19.00)

Zurich:
SIX Gen 867.10 (+1.60)

London:
FT 100 4194.0 (-13.7)
FTSE Mid 250 4580.2 (-3.2)
FTSE 250 2602.0 (-5.7)
FTSE 100 4194.0 (-13.7)
FT All-Share 3555.3 (-5.24)
FT Non Financials 2110.3 (-2.14)
FT Financials 1717.4 (-0.23)
FT Govt Sec 95.0 (-0.23)
S&P 500 751.20
NASDAQ 1630.0 (+0.23)
German Mark 2700.4 (+0.01)
Exchange Index 96.8 (+0.2)
Bank of England official close (4pm)
USD 1.544 Dec (2.5%) Jan 1997-100
RPI 154.3 Dec (3.1%) Jan 1987-100

RECENT STOCKS

Aquarius	1744	...
1234 Endowment Red 57
Cadentree	2674	...
Enterprise Vent Cap	934	...
Episcure Network	55	...
GB Railways	2774	...
Hardy Underwriting	170	...
Nichol	454	...
Oxford Biomedica	574	...
Parkwood Holdings	744	...
Pilat Technologies	594	...
Sheffield United	1084	...
Sunderland	7574	...
Sun Habor	132	...
West from Abdon	1235	...

NOTES ISSUES

Ashbury n/p (33)	2	...
Compel n/p (160)	35	...
Press n/p (18)	64	...
PRM n/p (330)	220	...
RPC n/p (142)	2	...
Shafesbury n/p (137)	24	...
Wicks n/p (150)	12	...

MAJOR STOCKS

RISES	100p (+24p)	...
Thorn	209p (+42p)	...
Saltire	77 1/2p (+14p)	...
Telecom	265p (+37p)	...
Cookson	252p (+12p)	...
Granipart	279p (+10p)	...
Black Lake	859p (+11p)	...
RMC Gp	928p (+26p)	...
Ry Bk Scot	571p (+14p)	...
Lund Sec	772p (+18p)	...
Dixons Gp	513p (+10p)	...
Kingsbury Gp	207 1/2p (+82p)	...

Closing Prices Page 33

Sitting uncomfortably

WHERE might you go shopping for a sofa? Unless you take a perverse close interest in the retailing press, the chances are that Radio Rentals will not feature anywhere on your list - nor on anyone else's.

This, unsurprisingly, is the lesson Thorn has learnt from its decision to sell furniture at Radio Rentals. Quite apart from the marketing failure, the move looks ill-judged on other grounds: most Radio Rentals are too small to display furniture at advantage.

The furniture blunder is the most striking mishap to tumble out of yesterday's miserable trading statement. In the US, Rent-A-Center had a dreadful December as the price of small televisions and budget video recorders dropped beneath \$100 - making it uneconomic for rental businesses to compete. The difficulties raise questions about the level of

risk inherent in Thorn's businesses. When it was demerged from glamorous EMI last year, Thorn was dubbed the homey sibling. Unfortunately for shareholders, it has been anything but dull. Thorn's shares now stand at almost half September's debut price.

Thorn has made money from Rent-A-Center, selling domestic appliances and furniture to financially challenged Americans. For all the initial success of Crazy George's - which rents goods by the week to families with an annual income of less than \$10,000 - attempts to replicate the strategy in the UK look far from risk-free. An economic downturn could play havoc with such a business. Thorn shares may look cheap at chunky times prospective earnings and a chunky yield. Alternatively, they may fairly reflect a less than skilful management.

Deutsche Telekom

A DRIFTING Deutsche Telekom has provided ammunition for those who reckoned the phone company's public offering was priced too high. Would German private investors be put off future state asset sales if DT shares failed to perform?

The argument seems spurious as DT has outperformed the German Dax index since the November sell-off. At DM316 the stock has gained almost 11 per cent from the DM285 issue price, while the Dax has risen 8 per cent. Add to that the phone company's higher than average yield and the German shareholder should have little to complain about his investment. The high initial premium has been trimmed back, in part because of the

Prudential

IT IS a stock market axiom that when the public become excited by shares, values are reaching their peak and it is time to sell. News of a bull market is slow to percolate through the population, but retailers of financial products are beginning to see signs of public fascination. Not all hand managers are adopting defensive strategies but many are feeling nervous, not least because of the boiling pot on Wall Street.

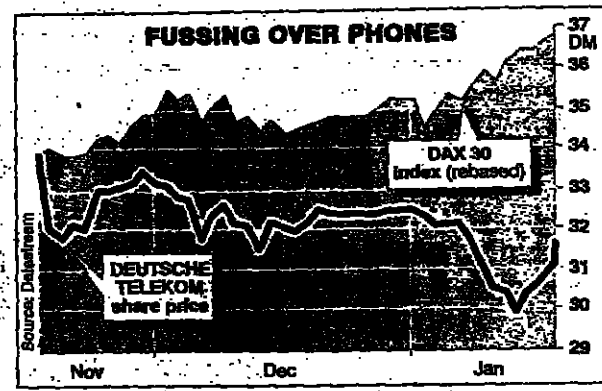
Retail money is pouring into personal equity plans. Two life companies - Prudential and London & Manchester - yesterday reported sparkling new business figures. A buoyant market and predictions in some quarters (though by no means all) that the FT-SE 100 will rise a further 10 per cent this year have helped as have fears that Labour will withdraw tax breaks from personal equity plans.

In the absence of a market

FUSSING OVER PHONES

lack of information but also because of fears of a flood of telecom shares. France Telecom and Spain's Telefonica together add up to some £5 billion, with Italian and Hungarian offerings to follow.

If indignation was really a concern, the price of Telefonica would already be affected, which has not been the case. DT's drifting price has more to do with arguments about valuation, with the bears pointing to high debt-adjusted multiples, while the bulls point to strong net cashflow. After yesterday's figures, the bull case looks stronger. A company that can repay DM27 billion of debt in two years is in fine fettle.



COMMODITIES

LIFTS	
Mar	88.80-89.20
May	90.40-90.80
Jul	92.60-93.00
Sep	94.80-95.20
Nov	97.00-97.40
Dec	99.20-99.60
Jan	101.40-101.80

ROBUSTA COFFEE (lb)	
Mar	141.00-141.40
May	143.20-143.60
Jul	145.40-145.80
Sep	147.60-148.00
Nov	149.80-150.20
Dec	152.00-152.40
Jan	154.20-154.60

WHITE SUGAR (lb)	
Mar	28.80-29.20
May	29.00-29.40
Jul	29.20-29.60
Sep	29.40-29.80
Nov	29.60-30.00
Dec	29.80-30.20
Jan	30.00-30.40

MEAT & LIVESTOCK COMMISSION	
Mar	18.80-19.20
May	19.00-19.40
Jul	19.20-19.60
Sep	19.40-19.80
Nov	19.60-20.00
Dec	19.80-20.20
Jan	20.00-20.40

ICE-100 (London 6.00pm)	
Mar	22.95-23.05
May	23.15-23.25
Jul	23.35-23.45
Sep	23.55-23.65
Nov	23.75-23.85
Dec	23.95-24.05
Jan	24.15-24.25

GNI LONDON GRAIN FUTURES	
Mar	10.85
May	10.95
Jul	11.05
Sep	11.15
Nov	11.25
Dec	11.35
Jan	11.45

POTATO (lb)	
Mar	1.45
May	1.50
Jul	1.55
Sep	1.60
Nov	1.65
Dec	1.70
Jan	1.75

RUBBER (No 1 RSS C of 10)	
Mar	74.25-74.75
May	74.50-75.00
Jul	74.75-75.25
Sep	75.00-75.50
Nov	75.25-75.75
Dec	75.50-76.00
Jan	75.75-76.25

LONDON METAL EXCHANGE	
Mar	10.85
May	10.95
Jul	11.05
Sep	11.15
Nov	11.25
Dec	11.35
Jan	11.45

LIFE OPTIONS	
Mar	1.45
May	1.50
Jul	1.55
Sep	1.60
Nov	1.65
Dec	1.70
Jan	1.75

LONDON FINANCIAL FUTURES

FTSE 100	
Mar	4210.0
May	4220.0
Jul	4230.0
Sep	4240.0
Nov	4250.0
Dec	4260.0
Jan	4270.0

FTSE 250	
Mar	1630.0
May	1640.0
Jul	1650.0
Sep	1660.0
Nov	1670.0
Dec	1680.0
Jan	1690.0

Three Month Sterling	
Mar	92.62
May	92.64
Jul	92.66
Sep	92.68
Nov	92.70
Dec	92.72
Jan	92.74

Three Month Euro DM	
Mar	96.92
May	96.94
Jul	96.96
Sep	96.98
Nov	97.00
Dec	97.02
Jan	97.04

Long Gilt	
Mar	111.09
May	111.10
Jul	111.11
Sep	111.12
Nov	111.13
Dec	111.14
Jan	111.15

Japanese Govt Bond	
Mar	126.26
May	126.33
Jul	126.40
Sep	126.47
Nov	126.54
Dec	126.61
Jan	126.68

German Gov Bd Bond	
Mar	101.01
May	101.02
Jul	101.03
Sep	101.04
Nov	101.05
Dec	101.06
Jan	101.07

Euro Swiss Franc	
Mar	98.10
May	98.12
Jul	98.14
Sep	98.16
Nov	98.18
Dec	98.20
Jan	98.22

Italian Govt Bond	
Mar	131.20
May	131.21
Jul	131.22
Sep	131.23
Nov	131.24
Dec	131.25
Jan	131.26

Base Rates Clearing Banks	
Mar	5.50
May	5.50
Jul	5.50
Sep	5.50
Nov	5.50
Dec	5.50
Jan	5.50

EUROPEAN MONEY DEPOSITS (%)

Currency	
1 day	3.00
1 month	3.50
3 month	4.00
6 month	4.50
12 month	5.00

Gold/Precious Metals (Bullion & Co)	
Mar	10.85
May	10.95
Jul	11.05
Sep	11.15
Nov	11.25
Dec	11.35
Jan	11.45

Sterling Spot and Forward Rates	
Mar	1.45
May	1.50
Jul	1.55
Sep	1.60
Nov	1.65
Dec	1.70
Jan	1.75

MEX Rates for January 20	
Mar	1.0246-1.0243
May	1.0247-1.0244
Jul	1.0248-1.0245
Sep	1.0249-1.0246
Nov	1.0250-1.0247
Dec	1.0251-1.0248
Jan	1.0252-1.0249

MEX Rates for January 20	
Mar	1.0246-1.0243
May	1.0247-1.0244
Jul	1.0248-1.0245
Sep	1.0249-1.0246
Nov	1.0250-1.0247
Dec	1.0251-1.0248
Jan	1.0252-1.0249

Singapore dollar	2.1392-2.3407	Bank of NY	30%	Barclays Bank	30%
South Africa rand (cont)	1.660-1.769	Barclays Bank	30%	Barclays Bank	30%
Swiss franc	1.480-1.514	Barclays Bank	30%	Barclays Bank	30%
Barclays Bank GTS - Lloyd Bank		Barclays Bank	30%	Barclays Bank	30%
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THE TIMES CITY DIARY

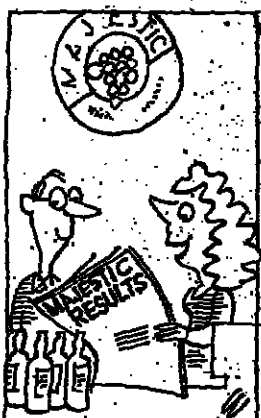
Caught on camera

AS THE Horlick story shows little sign of growing a skin, and even less of warming up, the conspiracy theorists are having a field day. The latest tidbit include Morgan Grenfell having nine months of taped telephone recordings to back up its allegations against its former star manager. Then there's the one about Morgan Grenfell hiring a private detective to track Mrs Horlick's movements. Our bank insider insists that neither is true, adding wearily: "If we wanted to know where Nicola Horlick was, we only had to switch on the television or ask a journalist."

All change

START your stopwatches: another newcomer has arrived at the Institute of Directors. First to bow out was Brian Salter as head of communications, leaving Liz Llewellyn to work alongside Ruth Lea, the IoD's head of policy. After nine years, Llewellyn left. Sam Parkhouse came in, and departed just five weeks later, last Friday. Step forward Julie Stretton, a former Press Association reporter.

TORY supporter Lord MacLaurin appears a little overzealous in his political path. The chairman of Tesco was quoted (he says misquoted) in yesterday's Evening Standard insisting that he will vote Conservative in the next election. But, as Lord King points out in the same piece, members of the House of Lords are barred from voting. As are loonies and crooks.



Distrust

STREETWISE Michael Hart outwitted pickpockets while holidaying in Argentina. The chairman of Foreign & Colonial was wandering the streets of Buenos Aires with his wife Sheila when a gang of three stole up to them from behind and ran off with the contents of Hart's back pocket. Fortunately for Hart, he was very aware of the tactics of the Argentine underworld, and all that was stolen was a map of the capital. Even better, it was the couple's last day before they headed off to the Antarctic. "I was quite surprised at how audacious they were," Hart marvels.

Conversion woe

SINCE he arrived to work in the Halifax press office, Chris Sonne has done nothing but work on the Halifax conversion. Despite this selfless devotion to the building society's eight million savers and borrowers, Sonne is himself ruled out from receiving any windfall: he joined the Halifax after the first qualifying date. "Poor love — it shows how unfair our distribution is," says a spokeswoman. "We'll have a whip-round on conversion day, and buy him a cup of coffee."

THE tiny museum in Ohio dedicated to Thomas Alva Edison, the father of the electric light bulb who was born 150 years ago, was so strapped for funds that it had to ask local officials for help in paying the electricity bills.

MORAG PRESTON

Pensions guardians must show greater vigilance

Robert Miller looks at the upcoming tough new regime for fund trustees

Pension fund trustees view the glare of publicity surrounding the Horlick affair at Morgan Grenfell with much distaste. Nevertheless, the whole business serves as a timely reminder about the role that pension fund trustees play in safeguarding some £600 billion of assets invested on behalf of millions of employees in 200,000 registered occupational schemes.

Trustees face onerous responsibilities under new rules laid down by the Pensions Act 1995 and that really begin to bite on April 6. From that date, trustees who preside over a fund where something goes wrong and where they failed to spot what was happening could face imprisonment in a worst-case scenario.

Under the present regime, trustees are bound by special legislation, but after April there will be very specific guidelines about how money held in pension funds should be monitored and managed. And top of the list will be picking the appropriate fund managers.

One of the more lurid fates that doomsayers have visited on Morgan Grenfell is that its pension fund clients will desert in droves and in a very short time. That is wide of the mark and may indeed never happen. Barring saw some of its pension fund clients leave after the Nick Leeson affair, but this was not done in the immediate aftermath, or as a response to the crash, but rather over a prolonged period as its previous good performance began to wane in certain sectors.

The potentially draconian penalties for negligent trustees, some of whom will be elected by fellow scheme members, are designed to reassure those who belong to company pension schemes that their money is being well looked after and that another Robert Maxwell will not happen. No amount of legislation in the world, however, can prevent another disaster, but it can at least place a far greater onus on trustees to be vigilant.

Bill Birmingham, manager of benefit services at the National Association of Pension Funds (NAPF), says: "There will be a statutory obligation in future for trustees to specifically select the fund manager or managers."



Ann Robinson, of the NAPF, and John Hayes, chairman of the new pensions authority

However, disappointed a trustee might be in the high-profile antics at any particular house they have appointed as manager they will be far more concerned to check that the assets are secure and that they are being properly managed. One of the aspects not often raised in the Nicola Horlick affair is that her UK pension fund division, which looked after £18 billion of assets, was very definitely not a one-manager business. Working with her was a very able team that is still in place. Pension fund trustees actually tend to eschew the star-trader syndrome in favour of solid, and

even more important, consistent returns. And that is what Morgan Grenfell has provided its pension fund clients with over the past five years.

However, in three months' time, when the first-quarter post-Horlick performance review is published, trustees will then consider whether to stick with it or look for alternatives.

Most contracts between managers and trustees can be severed within three months, but before then the trustees will have to build a sufficiently

strong case to switch. In the event of a disaster happening the custodians will have to justify their decision at the time and the due diligence steps they took to John Hayes, the chairman of the new statutory Occupational Pensions Regulatory Authority (OPRA).

Mr Birmingham of the NAPF, headed by Ann Robinson and whose members look after £400 billion of assets on behalf of seven million members and four million pensioners, says that under the new rules trustees will not only have to assess the past, present and future performance of any likely fund managers they wish to employ, but also set out the

investment parameters. He explains: "Having set out a statement of investment principles they will then have to explain the profile of their members."

Such information will include details on the age of scheme members, how many are pensioners, how many are close to retirement and, therefore, what sort of split a portfolio should have to meet these commitments.

If, for example, a particular scheme has a large constituency of members close to or in retirement, then the selection of any new fund manager will have to consider that gilts and bonds might be better suited as investments to meet the pension payments than equities and that will influence the final appointment.

Trustees will also have to tell managers what sort of percentages they want invested in geographical markets, such as North America, the Far East, Europe and the UK and, what exposure they want to sectors such as property.

Trustees looking to switch managers will also have to study the various investment techniques used. For example, some money managers favour the "top-down" approach, pick the country or sector and then filter down until you come to the right company, others prefer "bottom-up" by picking the company or stock first regardless of sector or region. Some managers build sophisticated computer programs and let them do the portfolio building.

Until now pension fund trustees have tended to stick to the big investment houses in the City such as Schroders, Mercury Asset Management, Kleinwort Benson and Garmore. But as trustees have more and more say in who should be appointed and how the money should be managed small boutique operations, already widely used in America, could begin to flourish.

One such is run by Crispin Odey. He left Barings and in 1992 set up Odey Asset Management, which manages nearly \$400 million, including some UK pension fund money. Mr Odey says: "Fund managers are designers not manufacturers. We all have different styles and some houses have two different approaches under one roof, so the chances are that when one is on the wane the other will be ready to shine."

Morgan Grenfell may have been put on notice that every move it makes is under scrutiny by anxious pension fund trustees. But for the next three to six months the managers will have the chance to show their mettle and that regardless of the often lurid headlines it is still a fine manager of money.

Fund trustees face onerous responsibilities under rules laid down by the Pensions Act

Blueprint spells out the policies to guide a government led by Blair

Philip Bassett highlights the proposals put forward by leading business figures

THE year is 2007. Three per cent inflation is a dim memory. Interest rates are low, and investment is up, fuelled by a more favourable tax treatment for business. Unemployment is about 4 per cent, and long-term joblessness eliminated by special measures. Crime has fallen. Small company numbers are rising, and their failure rate falling.

The single market in Europe, and improved competition policy at home, has shortened the UK's long tail of underperforming firms. Management focus is more long-term, and takeovers are fewer. Britain's workforce is better trained, and the UK's productivity is improving.

Fantasy? Not according to recommendations today on the future of British business, from a collection of hard-headed business leaders assembled by the Institute for Public Policy Research, the centre-left think-tank with close connections to Tony Blair, leader of the Labour Party.

"We believe that all these outcomes are achievable," the IPPR's Commission on Public Policy and British Business says, "as the vigour and enterprise of the private sector interact with the intelligent commitment of public policy."

How they can be achieved will be the subject of a fierce political clash today at the launch of the commission's report in London. Michael Heseltine, the Deputy Prime Minister, has forced his way into the report's launch conference, and his speech immediately after one from Mr Blair is expected to support the study's emphasis on competitiveness — but attack some of its key conclusions, especially on politically sensitive issues like the minimum wage, the social chapter and the single currency, all of which the report supports.

Today's report is a blueprint for business — and for Labour — although commission leaders will emphasise today the political neutrality that they have worked to achieve. The Times has

already detailed most of what the report says, but its principal findings today include:

□ The single currency. Business leaders on the commission argue that Europe's single market is vital for British business, and that Britain needs to maintain its place in Europe to keep arguing for liberalisation and free trade. While they accept that it remains unclear whether these key objectives can be achieved without Britain entering EMU, they say that "it seems doubtful that they can be achieved if EMU becomes an inclusive system with the great majority of EU states as members but with the UK remaining outside". The commission acknowledges that it has no unanimity about the economic advantages, and urges the Government — of whatever political hue — to remove uncertainty on it as soon as is possible. The commission is also worried about the "entirely undemocratic" structures for the setting of monetary policy which EMU entails.

□ The social chapter. While the commission says that "most employers are hostile to the social chapter", which they believe will lead to Europe's high non-wage labour costs being imported to the UK, business leaders on the commission conclude that the social chapter's current provisions, which the Conservative Government has vociferously opposed, are "fairly innocuous",

and judge that the social chapter will not ultimately impose continental costs on the UK. Concluding that "the benefits of the single market far outweigh any current or probable costs of the social chapter", the commission says "if opting in is the only way to preserve the single market and Britain's influence in its construction, we would advocate signing up".

□ A minimum wage. The commission supports the continued extension of in-work benefits as a means of breaking the poverty trap and attacking long-term unemployment — a position wholly in line with business bodies such as the CBI. But the commission says the policy has an "inherent danger" — employers using the availability of such benefits in effect to top up their own wages. To prevent this form of state subsidy, the commission supports the introduction of a minimum wage as a means of "putting the bottom back in the bucket of in-work benefits". Business nervousness about the recommendation is underlined by the commission's insistence that a national minimum should be introduced at a level that will not destroy jobs.

□ Macroeconomic policy. As well as an inflation target, the report argues for a growth target of a particular figure for nominal GDP. It proposes some independence for the Bank of England, giving it control of interest



Blair: speech

rate policy, with the Government retaining overriding powers in an economic emergency. Public finances should move to a system of accruals accounting, as the Treasury wants.

□ Corporate governance. The commission favours stakeholding in the way companies are run — firms taking full account of relationships with suppliers, customers and employees as well as shareholders. The commission recommends changes in company law to require firms to report on non-financial performance measures, though it steers clear of any changes aimed at setting new legal restraints on takeovers. It proposes extending employee rights to information and consultation, and liberalising current law on the issue of non-voting stock.

□ Competition. The commission argues for a shift to a prohibitive approach, linked to fines of up to 10 per cent of a company's turnover in a market, and an increase in the powers of the Director-General of Fair Trading. It rejects combining the responsibilities of the OFT and MMC in favour of making the OFT the investigating body and the MMC the adjudicator.

□ Education and training. It recommends improving quality in schools through higher spending, funding nursery places for all three to four-year-olds, cutting primary school class sizes to 30 or less, and compulsory training for young workers. Britain has of course seen such economic blueprints before — sets of worthy proposals which often get put aside in the hurly-burly of business and politics. That may yet happen to the commission's recommendations as it largely did to those of its predecessor, the Commission on Social Justice, which was set up by John Smith, Mr Blair's predecessor. But with business acknowledging at the very least the real possibility of a Labour government within the next few months, today's measures stand a strong chance of shaping a new Labour government's policy on business.



ANATOLE KALETSKY

Rich breathe sigh of relief

So now we know: a Labour government will not cost even the rich any more in personal taxes. Or do we? Gordon Brown's long-awaited tax announcement leaves plenty of questions unanswered and in the coming days the Tory political machine will be doing its utmost to maximise public doubts about what Labour's promises may or may not really mean. But let us take Mr Brown at face value. He has promised that the top rate of tax will remain at 40p throughout the next parliament, that the standard rate will not be increased above the present 23p and that VAT will not be extended to cover such exempted items as food, books and children's clothes.

Apart from the ill-fated shadow Budget presented by John Smith in 1992, Mr Brown's speech offers probably the longest and most detailed list of explicit promises ever presented to British voters before an election. The Labour position on taxes is now as clear as that of the Tories. But that is not saying very much.

Even if we assumed that all manifesto promises would be strictly adhered to, no British voter could have much idea about how much he or she would pay after the election — and this would apply regardless of which party won. This is because the tax rates which attract such political and media attention are not the most crucial element of the tax system. For most people the structure of allowances and reliefs and the levels of income at which taxes are levied are more important than the "headline" rates of tax. By varying the allowances, it is perfectly possible for a government to raise taxes dramatically while appearing to cut the standard rate. This was the stunt pulled by Kenneth Clarke and Norman Lamont in 1993 and 1994. Given the tightness of the Tory public spending plans and the pressure from financial markets to continue narrowing the government deficit, Mr Brown is almost certain to try the same sleight of hand.

Should we, then, simply ignore the promises made both by Mr Clarke and Mr Brown? The answer is "not quite". Although it is impos-

sible to predict how much tax we will pay next year, never mind at the end of the next parliament in 2002, the promises made yesterday do foreclose certain options.

The main possibility that is now pretty well excluded is a large increase in the tax-take from the very rich. Ironically, one of the very few groups of taxpayers almost immune to tax increases by the backdoor are the 200,000 people with incomes above £100,000. These people are not significantly affected by changes in allowances and reliefs, since they get comparatively little benefit from them. Even the complete abolition of child benefits, personal allowances and mortgage tax relief would add less than 5 per cent to the tax bill of somebody earning £150,000. An increase in the top rate of tax from 40p to 50p, by contrast, would increase this person's tax burden by almost 25 per cent.

Apart from a higher top rate, the only other way for Labour to squeeze the very rich would be to lift the ceiling on national insurance contributions — as John Smith notoriously proposed in 1992. This measure would be very similar to a 10p increase in the top rate. Significantly, Mr Brown did not rule it out yesterday. In practice, however, any increase in national insurance would be a calamitous own goal for Labour. This is because the national insurance system cannot be targeted on the very rich in the same way as the income tax system. If national insurance were used to squeeze more money out of the very rich it would also hit the people whose fickle political sensitivities most worry Labour: the skilled workers and middle managers on £30,000 to £40,000.

One way or another, these middle-class voters will probably end up paying all sorts of disguised extra taxes, whichever party is in power. But ironically their extreme sensitivity to headline tax rates will help to protect the very rich. So if you earn more than £100,000 a year you can breathe a sigh of relief. Labour will keep its hands out of your pockets — at least until the parliament after next.

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ALCOHOLIC BEVERAGES

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

BANKS

Company	Price	Change	Yield	P/E
Barclays	12.50	+0.05	4.5	18.5
HSBC	12.20	+0.02	4.2	17.8
Bank of America	11.80	+0.01	4.0	17.2
Wells Fargo	11.50	+0.01	3.8	16.5
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Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

BUILDING & CONSTRUCT

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

BUILDING MATERIALS

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

CHEMICALS

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

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Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

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Company	Price	Change	Yield	P/E
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Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

ELECTRICITY

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

ELECTRONIC & ELECT

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

ENGINEERING

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

INSURANCE

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

INVESTMENT TRUSTS

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
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Company	Price	Change	Yield	P/E
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Asahi	11.50	+0.01	4.0	17.2
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Daewoo	11.00	+0.01	3.6	16.0

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Asahi	11.50	+0.01	4.0	17.2
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Company	Price	Change	Yield	P/E
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Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

INSURANCE

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
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INVESTMENT TRUSTS

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
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Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

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Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

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Company	Price	Change	Yield	P/E
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Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

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Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

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Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

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Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
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Company	Price	Change	Yield	P/E
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Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
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Company	Price	Change	Yield	P/E
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Asahi	11.50	+0.01	4.0	17.2
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RETAILERS, GENERAL

Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
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Asahi	11.50	+0.01	4.0	17.2
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Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
Carlsberg	11.80	+0.02	4.2	17.8
Asahi	11.50	+0.01	4.0	17.2
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Daewoo	11.00	+0.01	3.6	16.0

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Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
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Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
Daewoo	11.00	+0.01	3.6	16.0

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Company	Price	Change	Yield	P/E
Heineken	12.15	+0.05	4.5	18.5
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Asahi	11.50	+0.01	4.0	17.2
Daewoo	11.20	+0.01	3.8	16.5
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78	57%	Danubius F&B	71%	
171%	136	Danubius	171%	1
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217%	167	Danubius Holdings	217%	
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129%	85	Danubius Properties	129%	1
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FILM

Witches' brew: Nicholas Hytner on the filming of Arthur Miller's classic play, *The Crucible*



THEATRE 1

One Last Surviving explores the plight of the homeless in notably unsentimental and effective style

THE TIMES ARTS



THEATRE 2

It doesn't help to be Irish: in Dublin the Abbey Theatre makes a mess of Oscar Wilde



TOMORROW

Putting Pfitzner's *Palestrina* on stage: director Nikolaus Lehnhoff introduces a Covent Garden epic

No thorns in Hytner's Hollywood

Years of putting old plays on stage helped Nicholas Hytner to get Arthur Miller's *The Crucible* on film, Matt Wolf reports

For a man who had never even held a movie camera until three years ago, Nicholas Hytner is doing pretty well in his new career as a filmmaker. Before that, of course, the Cambridge-educated Hytner was one of our leading opera and theatre directors, whose name was regularly mentioned in arts world parlour games about who would take over the National Theatre.

Instead, Hytner took himself out of consideration for such a job and began directing films, where with his two projects to date he has achieved a success so far unmatched by other theatre colleagues (Peter Hall, Trevor Nunn) who have dabbled in cinema.

The Madness of King George in 1994 turned a tidy profit and was up for four Oscars, despite being an essentially downbeat story with a cast all but unknown to the multiplex cinema audience. Currently on release in America and due in Britain next month is Hytner's film of Arthur Miller's *The Crucible*, which is hotly tipped to figure in the Oscar nominations to be announced on February 11. With both films based on award-winning plays, Hytner looks to be a dramatist's best hope of making a smooth transition to the big screen.

As a film director, Hytner has a talent for retaining the power of his theatrical source material while reinventing the plays cinematically so that they do not seem stagey. In *King George*, the camera was a restless, whirling presence, scurrying around the palace as if it could barely keep pace with its porphyria-plagued Hanoverian monarch.

Similarly, *The Crucible* begins not with a history lesson about New England Puritanism, but with the forest rituals of a community of girls brought together by a desire for erotic release. Miller wrote the screenplay, which differs substantially from his original play.

Although both films are period pieces, there is nothing embalmed about them: Hytner knows how to make movies move. "That actually comes, perhaps, from having spent a career putting old plays on stage," says the 40-year-old Hytner, sitting in the National Theatre canteen prior to a run-through of *The Cripple of Inishmaan*, the Martin McDonagh play that has brought him back to the London theatre for the first time in almost four years.

He says period is "no big deal with me; you just get it right and get on with it". Initially, he says, "there was a bit of discussion, a few things the studio asked about: should it not say 'Salem, 1692' at the beginning? The first draft had a montage of Puritan life — churning butter and ploughing fields — and my opinion was always that the fact that the story takes place in 1692 was of itself uninteresting."

"When was the last time you saw a production of a Shakespeare play which had a big sign saying 'Illyria, 1600? I find too many horses and carriages, too much *Upstairs Downstairs* stuff, rather tiresome. Ultimately, what you do is create a world for a purpose, which is to give the people about whom your movie revolves some kind of concrete existence."



Nicholas Hytner rehearsing *The Crucible*: "I've not met the dumb, venal, vulgar Hollywood; for once, they wanted to treat a great literary icon with some respect"

King George, Hytner's filmmaking baptism, was an independently financed picture made for the Samuel Goldwyn Company. By contrast, *The Crucible* was a fully fledged Hollywood venture, a \$25 million investment by Twentieth Century Fox boasting a pedigree writer rather more revered in Britain than he is in his native country, and two bankable stars in Daniel Day-Lewis and Winona Ryder.

Did the pressures increase to match the budget? "Not at all," says Hytner. *The Crucible* was never "the studio experience you're led to expect. For once, Hollywood wanted to treat a great literary icon with some kind of respect while at the

same time making an exciting movie; they didn't want to adulterate it."

"I think America is done a disservice by the entire English serious press: it's absolutely unbelievable. I've not met the dumb, venal, vulgar Hollywood; why would I? It has no interest in me at all. I don't want to spend \$100 million. The interesting thing about Hollywood is that hiding behind every bush is an intelligent, cultivated, sensitive, educated executive who can't really admit to it."

Fox, Hytner reports, had made "a deliberate decision to make films at a relatively modest budget in studio terms, and Arthur [Miller] could not have been more eager to

get it to work". Miller had watched his *Crucible* screenplay languish on a shelf for five years failing to attract interest. "Arthur thinks it was largely because people were terrified of the language," says Hytner, "which I have to say never occurred to me; plainly it's not a handicap. If you come from the theatre, you know that language of that poetic force is an asset in the hands of the right actors."

"One's fear was that Arthur might want a beautifully filmed version of the play, which could not be further from what he wanted at all. He was waiting to settle down with a director as soon as one committed to it, in order to rip the screenplay to bits and put it back

together as a movie, which he did." For six months, Miller sat in a hut at the foot of his Connecticut garden, folding Hytner's suggestions into his script. "He could not have been more excited by the whole idea of treating the witch-hunt panic as a physical virus — pushing the camera, pulling it. The energy of a camera moving, the idea that you can leave out so much information because the cut has that in it: Arthur was mightily turned on by that."

Looking ahead, Hytner next directs two scripts by American dramatists. The first, to begin filming in New York in May with Winona Ryder in the lead, is adapted by Hytner's friend Wendy

Wasserstein (*The Heidi Chronicles*) from Stephen McCauley's novel *The Object of My Affection*. After that comes Martin Sherman's version of *The Dybbuk*, set in Atlantic City in the 1950s.

"I'm going to go on doing plays," says Hytner, who has already started discussing an off-Broadway transfer of *Cripple of Inishmaan*. But, he adds, "I'm just loving making movies, and it is tremendously exciting. You get a huge buzz, and you feel more creative. As a director, you feel that what you eventually put before an audience contains more of you."

● *The Crucible* opens in Britain on Feb 21. *The Cripple of Inishmaan* continues in repertory at the National Theatre

THE TIMES

TOMORROW

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How Terry Sarrell gave the colony its most striking new building

FOOTBALL

Aspects of Love
Day three of women writing about love

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CHANGING TIMES

THEATRE: Absorbing study of urban decay; plus an unconvincing *Earnest*

Angels with dirty faces

One Last Surviving
Lyric Studio, Hammersmith

YOU may feel that the number of young beggars on our streets is enough to make the angels weep. Alex Merikides goes further in the odd, absorbing playlet he has written for Omphale Theatre. He brings to London a blue-winged, blue-haired angel and transforms him from a confident loudmouth into a shattered wreck who swigs cider and mouths nonsense from a stolen sleeping-bag. Watching the homeless driven him mad, or so it is implied.

The homeless are represented by two street-kids with vaguely obscene names and undeniably repellent looks: a bald scraped skull for Daron Oram, matted, stringy hair for Sabina Netherclift, filthy faces for both. Their days consist of crawling from a shared sleeping-bag and shoving their palms at passers-by with grunts of "change". They are confused, inarticulate, violent. When he takes an undue proportion of the food supply — here, a mummified bird he thinks is a

rat — she beats him up. Imagine a blend of one of Beckett's late plays and a low-life mime show, and you have the feel that Merikides and her director, Annie Siddons, seem to want. Their lack of sentimentality is admirable and, I believe, strengthens their case. If you wish to draw attention to the disintegration of urban decency and the waste of young lives, it is best to admit at once that we are talking less of attractive people in trouble than of people rendered unattractive by the neglect they have suffered. However, I was less taken with the whimsy that occasionally intrudes into the plot.

Such as it is, this consists of representatives of the city — a flasher, a nerdish joker, a crazed evangelist — waylay-

ing but failing to help our beggars. Finally, a "Lady" gives them chaos, whereupon they break into her flat, strip off a hundred layers of foul clothing, and seem to expect a welcome from her when she returns home. It is as if a derelict Wendy and a hobo Peter Pan were playing house; and it seems a lot less true than the moment when the scream of police sirens sends them scampering for shelter like terrified cockroaches.



Matt Abley and Sabine Netherclift in "a blend of one of Beckett's late plays and a low-life mime show"

There is no analysis of how or why these two became what they are. Instead, Emma Fask's unnamed Lady is confronted, as people often are in London, with unexplained poverty and racism, as people sometimes do, with garbled attempts to rationalise her own inaction. Whatever the caveats, this is a piece for today and, I fear, tomorrow too.

BENEDICT NIGHTINGALE

Handbagged to a halt by the dowager

The Importance of Being Earnest
Abbey, Dublin

inaudibly when it comes to making the inquiry: "A handbag?"

Like much of the production, Linehan never found a convincing line of interpretation and, like the production, had nothing near the strength to do without such architecture.

key, somewhere between dither and religiously circumscribed lunacy.

Of the younger crew, Dawn Bradfield gave Cecily a shrewd airhead styling, but Alison McKenna as her comrade in adversity, Gwendolen, apparently attempting to do without charm or spine, gave little impression of understanding why her lines might be funny. Scenes between the two were, consequently, bleached of comic vitality.

As their admirers, Darragh Kelly (Algernon) and Frank McCusker (Earnest) never looked well cast, which perhaps accounted for the discomfort with which they seemed to be working.

When the production finally began to use the thrusting stage, late in the third act, Mason at last started to impose himself, putting the text through a bizarre chain of parodies and pastiches, using his actors for airy choral work, before suddenly cutting into the stagiest of self-righteous Victorian melodramas.

Somewhere here, hidden in Mason's approach to the play's closing movements, in his belief in the playwright's elaborate confidence with genre, there might yet lie a fascinatingly affectionate way to dislike *Earnest*.

LUKE CLANCY



■ VISUAL ART 1

Gary Hume shows the remarkable changes in his range and style over the past four years...



■ VISUAL ART 2

...and Fiona Rae demonstrates her vibrant virtuosity, in a brilliant exhibition at the Saatchi Gallery

THE TIMES
ARTS

■ VISUAL ART 3

Frank Auerbach displays his undiminished powers in a show at Marlborough Fine Art



■ MUSIC

A Polish master revisited: Lutoslawski's music is served up in bulk at the Barbican

Richard Cork on a Saatchi Gallery showcase for the flamboyant paintings of Gary Hume and Fiona Rae

Teasing and pleasing in full colour

When Gary Hume was included in the last Turner Prize exhibition, the array of his recent paintings did not even hint at the convulsive change he underwent four years ago. But now, at the Saatchi Gallery, the dramatic extent of that transformation is exposed in the very first room.

On one wall a large untitled image from 1991 is restricted to a severe arrangement of circles and oblongs. It looks at first like an abstraction of the most zealous kind. Then its resemblance to a pair of swing doors becomes apparent. What started out as a purist exercise in geometrical form turns into a faithful, life-size evocation of a clinical hospital interior.

All the same, it still seems stern compared with Hume's other picture in the room. Painted only two years later, *Jealousy and Passion* lives up to its shameless title by revelling in sexy swagger. A flamboyant yellow figure dominates, flaunting an ample physique. The face is featureless, apart from a grinning woman's mouth cut from a photograph and projecting from the surface on a piece of cardboard. Glistening with lipstick, it recalls the brazen heyday of Pop Art.

But Hume introduces a disconcerting note by slicing the head off at one side and adding a darker form. Abutting a green flower, it appears sulkily envious of the figure's exuberance. So we are left with ambiguity, not knowing the gender of this strutting poseur whose right hand rests on a flower crimson with rampant desire.

Charles Saatchi's enthusiasm for Hume's art means that both phases of his work are handily represented. They prove that the pre-1993 period is more various than its obsession with doors might suggest. Early on, when he had only just graduated from Goldsmiths, Hume restricted *Four Subtle Doors* to a single, discreet hue. The shapes within each unit are barely detectable except as incised contours, and Hume's use of gloss paint adds to the perpetual confusion, presenting us with reflections of our own peering faces.

But in *Four Doors I* his love of colour is spectacularly unleashed. Puce is juxtaposed with scarlet on cream, highlighting the circles and rectangles as if they were eyes, noses and mouths. Hume's later fascination with figures is already hinted at here. Even so, an immense three-panel picture called *Stop* returns to sobriety. Limited in range to black, four shades of grey and a single off-white, the painting is dour and forbidding. At the same time, *Stop* possesses a stripped, monumental grandeur. It proves that Hume could find awesome



Above, Fiona Rae's characteristically exuberant *Untitled (blue and purple)*, 1994. Below, Gary Hume revealing a "Matisse-like love of burgeoning foliage" in his 1995 painting, *My Aunt and I Agree*



dignity in the most banal and repetitive of everyday subjects.

Soon after painting a still more imposing door-picture, *My Guernica*, in 1992, he decided to break free. The doors had to be pushed open. Hume needed to explore the world beyond these claustrophobic interiors. So *Jealousy and Passion* prances onto his stage, and subsequent pictures roam with promiscuous delight from three-leaf clovers to Tony Blackburn.

In visual terms, a dangerous love of gaudy decorative embellishment is mercifully countered by a continual urge to refine and simplify. The abstract rigour of Hume's early work is still evident, and it usually prevents him from wallowing in an over-giddy involvement with flowers and leaves. But he is not afraid

to indulge in a Matisse-like love of burgeoning foliage, most openly in a wide-screen epic of a painting called *My Aunt and I Agree*. The elongated fingers stretching across this immense panel are half tender, half predatory. Hume relishes duality, finding unexpected fear in the eyes gazing out of an otherwise lyrical Garden Painting.

He likes to tease the viewer, nowhere more disturbingly than in *Begging For It*. The slender, gloved arms silhouetted in the foreground might be raised in prayer, supplication or erotic hunger. Hume makes sure that the pale blue figure beyond is so hazy that her true feelings are unknowable. But I found myself returning to this understated, beautifully judged image again and again.

Fiona Rae, who graduated from Goldsmiths' only a year before Hume, shares the Saatchi show with him. Her debut was just as confident, appearing like Hume in the landmark *Freeze* exhibition organised by fellow student Damien Hirst in 1988. Since then, however, she has not changed as startlingly. Abstraction is still her language, and she deploys it with irresistible gusto.

Early on, she left generous expanses of her canvas bare while indulging in a dizzy range of mark-making. Hints of objects as mundane as a suitcase, a walking stick or a toy dog can perhaps be found in a 1989 painting. But Rae makes their identities uncertain by brusquely cutting them off, or invading them with impetuous

rushes of pigment. Headlong improvisation, performed with all the exhilaration of a freewheeling jazz musician, is her forte.

Everything, in her chronically restless art, is in a state of flux. Nothing is permitted to settle. But instead of inducing excessive anxiety, Rae juggles all her elements with such brio that she leaves us feeling elated. To look at one of her best paintings is to be caught up in a high-risk performance. We sense her nervousness, wondering how such visual anarchy could ever achieve an unlikely coherence. And yet, against all the odds, she succeeds in pulling back from hopeless confusion.

As her work proceeds pell-mell through the 1990s, Rae makes the paintings even more complex than

before. She introduces blocks of geometric form, playing them off against the wilder marks that still seem to have been shot onto the canvas from a scatter-gun. The areas of bare canvas disappear.

Sometimes it appears too dense, and I found myself longing for the greater airiness of her earlier work. She can seem almost frantic in her desire to court total bewilderment. But then, just as I felt sated by her relentless bombardment, Rae persuaded me to go on looking.

She is a virtuoso manipulator of oil paint, adept at retaining order even when her pictures seem choked with incident. In some 1995 images the pigment is splattered, dragged, flung and prodded with outrageous abandon. All this impulsive activity is, however, given unexpected unity by titanic circles outlined in white. Although their contours are delicately defined, they manage to impose a reassuring sense of discipline.

But Rae is far too immersed in an exploration of flux to give her work too much stability. The 1996 paintings do, admittedly, contain more circles than before. Any solidity they may possess is, however, challenged by the grey masses of agitated paint alongside. As blurred and impossible to identify as interference on a television screen, they pose an incessant threat. For all her infectious high spirits, Rae seems in these ominously swarming pictures more aware of disintegration than ever.

● Fiona Rae and Gary Hume: Saatchi Gallery (0171-424 8294) until April 6

A guide to the best available recordings, presented in conjunction with Radio 3

SHOSTAKOVICH'S
FIFTH SYMPHONY

Reviewed by Michael Oliver

THERE are no fewer than 42 currently available recordings of Shostakovich's Fifth Symphony, which must make it the most popular symphony since Sibelius.

From being regarded as Shostakovich's capitulation to the demands of the Soviet regime for "socialist realism" (a Moscow newspaper of the time dubbed it "a Soviet artist's creative reply to justified criticism"), and Shostakovich was too prudent to deny it, it has become far more generally recognised as a bitter tragedy. The symphony has quite literally grown as that assessment has become more general: a work which, in its early recordings, generally played for 45 minutes at the most now takes 50 minutes or more.

Since the manuscript has vanished and the conductor of the first performance in 1937, Yevgeny Mravinsky, described the tempo markings in the printed score as "incorrect", we cannot describe any performance of it as "authentic" unless it is one of Mravinsky's own. There are no fewer than six of them, most filled with insights and toweringly eloquent, but most also poorly recorded (the best is his last, recorded in 1984 - Erato Z932-45752-2), and in all of them his tempos are at times decidedly hasty.

Although there are numerous poorly recorded accounts of the symphony, and others



played by orchestras that cannot manage the sheer weight of string tone that it demands, there are few downright bad performances among the 42. The best are those that make satisfying sense of Shostakovich's ambiguous but obviously carefully planned tempo relationships.

Among the very finest are distinguished readings by Neeme Järvi (Chandos), Bernard Haitink (Decca), Leonard Bernstein (Sony), the composer's son Maxim Shostakovich (Collins Classics), and Vladimir Ashkenazy (Decca). But two at bargain price also stand out: a splendid recent account by Sir Charles Mackerras and the Royal Philharmonic Orchestra (Tring TRP03), and a much older one (1965) by André Previn and the London Symphony Orchestra (RCA 74321 24212 2, £4.49). This was the first recording of the symphony to approach 50 minutes in timing, and throughout it has the quality of a still young conductor discovering the sheer stature of a tragic masterpiece and communicating that discovery with an eloquence all the more profound for its sobriety.

● To order the recommended recording, with free delivery, please send a cheque payable to The Times Music Shop to FREEPOST, SC0681, Forres, IV36 0BR or phone 0345 023 498; e-mail: music@the-times.co.uk
● Next Saturday on Radio 3 (1pm): Couperin's Leçons

AROUND THE GALLERIES

in that the load of pigment on the canvas continues to lighten, and the colours become ever less funeral. But the essential vision and the artist's way of embodying it remain almost obsessively consistent.

Does that matter? Not in this case. The effect of the show is to establish the moment one walks in that this is a brilliantly individual artist at the peak of his powers. Auerbach may still be producing variations on a familiar theme, but each time he returns to it he finds new resonances.

Marlborough Fine Art, 6 Albemarle Street, W1 (0171-420 5161) Mon-Fri 10am-5.30pm, Sat 10am-12.30pm, to Feb 15.

□ Sandra Bank has virtually nothing in common with Auerbach except an interest in palimpsest. A theme will be taken up, then partially erased, scumbled, or roughly painted over and another version imposed. Sometimes the same figure will be reiterated. Sometimes another is painted on top, so that the first will linger like one of Blake's psychic forms, peering through or about to burst forth from whatever follows. Sometimes the canvas may be turned on its side, so that the visible shapes seem to collide or veer off at right-angles from one another.

In Bank's new show at Harriet Green the figures are

entirely human, most frequently female, but sometimes male and sometimes intriguingly ambiguous. There are, for example, some variations on the theme of *The Three Graces*, à la Canova, except that the central figure, with its back to the spectator, appears to be male and one of the canvases is teasingly entitled *Ménage à Trois*. All of them keep one guessing, even as one appreciates the niceness with which the muted palette of earth and sea tones is deployed.

Harriet Green Gallery, 5 Silver Place, Lexington Street, W1 (0171-287 8328) Tues-Fri 11am-5pm, Sat 11am-5pm, until Feb 1.

JOHN RUSSELL TAYLOR

MUSIC: John Allison on the Barbican's extensive Lutoslawski festival

The importance of Witold Lutoslawski, Poland's greatest post-war composer, has never been in doubt. Since his death almost three years ago his music has lived on in regular performances, but there had been no stock-taking retrospectives of his work until the BBC devoted its latest annual composer weekend to him. The essence of Lutoslawski is not easily distilled; this needed to be a comprehensive series and, thanks to the Guildhall School of Music and Drama's own complementary festival last week, it was.

Between Tuesday and Sunday London heard the bulk of his output, supplemented by lectures, an exhibition and two films, with Lutoslawski scores.

Breaking Chains, as the Barbican festivities were called, renewed admiration for the composer but did not make him any easier to sum up: he cannot be "classified" into a corner of musical

Unchained melodies

history. He survived the Nazis and Stalin to become a moral force in modern music, unwavering in his determination to write as he wished. He drew only what he liked from serialism and aleatoric forms to fashion an elegant, expressive voice that always renewed itself.

Lutoslawski clearly broke the chains of political and musical tyranny, but the Chains that lent their title to the series were three works from the last period of his life. *Chain III*, which opened Friday's BBC Symphony Orchestra concert under Andrew Davis, is literally a chain of contrasting thematic and timbral ideas which break off abruptly. *Chain II*, given here as the composer

intended in a triptych with his *Partita* and *Interlude*, is a compact but demanding violin concerto in which Antje Weithaus was the sweet-toned soloist.

The highlight of the weekend's first two evenings was Martin Roscoe's commanding performance of the Piano Concerto with the BBC National Orchestra of Wales under Mark Wigglesworth. Moments of brutal power contrast with delicate, glittering motifs, and lush passages for strings and piano suggest a wonderful revisiting of Rachmaninov: perhaps, for all the modernism and neo-classicism of his music, Lutoslawski was the last of the late Romantics. The Fourth Symphony,

which Wigglesworth moulded compellingly, evokes almost Mahlerian struggles, though it is short. Here and in the Piano Concerto one marvelled at Lutoslawski's orchestration and the clarity of his textures.

In each of his compositional phases Lutoslawski was always a master craftsman. Even the "manufactured" serialism of the *Faneral Music* is deeply felt, though its monochromatic images could not be further from the witty tone-painting of the song-cycle *Chantefleurs et Chantefables*, which the soprano Valérie Anderson sang with a sense of fun.

The Concerto for Orchestra received a powerful, surging performance from Davis and the BBCSO, but above all it was the late-night concert of his *Twenty Polish Christmas Carols*, with Stephen Jackson conducting the BBCSO. Chorus and glinting soprano Claron McFadden, that really took us back to the composer's roots.

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CHANGING TIMES

LAW

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Badly drafted legislation has reduced the number of transplant donors by failing to resolve some key issues, says Siobhan Deehan

The great organ shortage

The announcement last week by Stephen Dorrell, the Health Secretary, that the transplantation of animal organs into human patients (xenotransplantation) is to be banned is a severe blow to many patients awaiting transplants in this country. Use of the pioneering techniques has been delayed until more is known about the dangers of such transplants and until legislation is introduced to regulate the practice.

Interest in developing genetically modified animal organs highlights the dilemma facing transplant surgeons — the chronic shortage of human organs. Despite public education exercises and the high survival rate and relatively low cost of transplantation, the number of transplants performed falls short of the 6,000 patients awaiting new organs.

This shortage can be traced to several factors. Improved medical techniques have resulted in a demand for organs that has far outstripped the NHS's ability to co-ordinate or finance transplants. Attempts to increase donation of organs after death have been thwarted

by concerns about the removal of organs without consent or before death, and about interfering with death itself.

The supply of human organs has also been hindered by poorly drafted, outdated and restrictive legislation. The law governing organ transplantation is defined in the Human Tissue Act 1961, regulating the use of cadaver organs, and the Human Organ Transplantation Act, 1989, dealing with live organ transplants. About 90 per cent of organs transplanted are taken from cadavers. The Human Tissue Act created a "contracting-in" system, whereby under Section 1 (f) an individual can request the donation of his organs after death for the purposes of therapy, education or research. Donation is achieved by executing a written request or by making an oral request in the presence of two witnesses. Under Section 1 (f) of the Act, if

no request for donation exists, "the person lawfully in possession of the body" may authorise the use of organs for transplantation only after making "reasonable inquiries" that neither the deceased nor surviving relatives have any objection.

The 1961 Act has failed to resolve key issues. First, it is unclear whether donor cards satisfy the Act's requirement for donation to be requested in an "authorised form". Secondly, the Act does not make clear who is "lawfully in possession of the body", and fails to define essential terms, such as "surviving relatives" or "reasonable inquiries".

Neither does the 1961 Act define the moment at which death occurs. Confusion and fear about the diagnosis of death remain an impediment to the voluntary donation of organs. Studies suggest that about 30 per cent of families

asked about donation refuse to permit it. Combined with doctors' reluctance to intrude at the scene of death, such refusals contribute to the scarcity of organs.

The use of living donors is governed by the 1989 Act, which prohibits commercial dealings in organs, makes an offence of advertising organs for payment and criminalises the removal of organs from unrelated living persons without the approval of the Unrelated Live Transplant Regulatory Authority. The Act was intended to preserve individual autonomy and to protect the vulnerable.

But the Act seems confused. First, it is unclear why unrelated donations require approval while related donations (possibly influenced by emotional coercion) are accepted without scrutiny. Secondly, in concentrating on genetic

relations, the Act fails to consider possible donations by spouses and co-habitees. More critically, by criminalising certain forms of donation, the Act has increased public aversion to donation and exacerbated the organ scarcity.

Initiatives to improve the voluntary donation of organs under the 1961 and 1989 Acts have failed to provide enough organs. The impact of donor cards, introduced in 1971, has been limited to their equivocal status under the 1961 Act, by public reluctance to carry cards, and by the ability of surviving relatives to override the deceased's wishes. More recent attempts to improve the supply of organs have met the same fate as xenotransplantation. Some surgeons have advocated paying live donors for their organs, but public, parliamentary and medical opinion

appears to be opposed to a trade in human organs.

One simple way to improve the organ supply is to introduce a "contracting-out" scheme of the kind used in many European countries. This would authorise the surgical removal of organs automatically unless the deceased had registered an objection before death or before the relatives objected to donation. In Belgium, where such a scheme was introduced in 1987, only 1.5 per cent of the population objected and the number of donors and transplants doubled.

Though recent opinion polls demonstrate growing parliamentary and public support for such a scheme, the medical profession and the Health Secretary are sceptical. However, if medical opposition could be overcome, contracting-out would ensure an adequate supply of organs and remove the risk of transmitting potentially dangerous viruses from animals to human beings.

● The author is a solicitor and Senior Lecturer in Law at Manchester Metropolitan University.

Fighting the cynics

Lawyers will never be popular, the new Bar Chairman tells Frances Gibb. But they can answer their critics

Today Robert Owen, QC, has cause for some celebration. Jack Straw, Shadow Home Secretary, may have pinched all the headlines last week over the need for curbs on police bugging powers. But Mr Owen and the Bar were opposing the Police Bill's surveillance proposals from the start. The new Bar Chairman is quietly spoken, not given to grandiose rhetoric or dramatic posturing. The Bill, he says, poses a "grave threat to the rights of innocent citizens".

The Bar's relationship with new Labour, described as "cosy", seems to have paid off. With the help of most of Fleet Street, the Bar, along with groups such as Liberty and Justice for All, forced a Labour cave-in and may yet win the crucial safeguard that the new surveillance powers will be subject to prior judicial scrutiny.

It was the first test for his leadership of the 8,000-strong practising Bar, a post he took on at the start of the year. Other battles loom over government proposals for fees for barristers' civil legal aid work, for instance, which Mr Owen has pledged to fight "tooth and nail". This is now a Bar Chairman's task, much of his work is shaped by outside events, more so than ever in a general election year.

"To some extent," he says, "we are setting the agenda for ourselves for this year, but I suspect it will be set to a very considerable degree by the new government, of whatever complexion."

The role is radically changed from that of 15 years ago. It is more political — both publicly and behind the scenes, with adept use of lobbying tactics. But Mr Owen is not an overtly political Chairman, either in terms of Bar politics or on the wider front, although he backs Tony Blair. "Point one," Mr Owen explains, "is that I am not

afflicted by the political disease of 'initialism'. In other words, I am wary of initiatives that have every appearance of hectic activity but actually yield nothing at all. The problems facing the Bar require long-term solutions. There are no easy answers."

Those problems are not new. Mr Owen, 52 — who was deputy chairman last year — has taken on the baton from Peter Goldsmith, QC, and will see into effect a series of measures whose progress is under way. Top of the list is the new complaints machinery, to come into force in April. For the first time, the public can complain about shoddy work by a barrister and obtain

loss that is recoverable at law."

Another key area is education and training. Mr Owen will see into effect improved training (pupillage) for young barristers to ensure consistency. A working party is also looking at funding problems for young barristers because "it has to be a matter of concern that students are carrying an increasing burden of debt into practice."

The Owen view is that chambers must be persuaded — not forced — to provide adequate funding for trainees. "The use of force would decrease the number of pupillage places that are available," he says. "Chambers must have a degree of autonomy."

monopoly of the Inns of Court School of Law. At the same time, Mr Owen is launching an Advocacy Studies Board under Lord Justice Kennedy to promote training in advocacy and raise standards. He has been working on improving training at the Bar. In his practice — countering professional negligence and medical negligence — he has often had to deal with the consequences of poor standards. He is at present involved in human growth hormone litigation.

A common law barrister, he also does some criminal work (and is a strong supporter of the cab-rank rule); recent briefs include being retained as a prosecutor in the Asil Nadir case (until Nadir fled to Northern Cyprus) and representing Nuclear Electric in the Wylfa Power Station dispute in Anglesey.

Staunch and a bit of a smoothy, the new Bar Chairman is nonetheless not of the traditional Oxbridge mould. He went to Durham School and Exeter University, and now lives in Barnes, west London, with his wife, an abstract painter. They have two grown sons. His roots are in Wales — his father was Welsh-speaking — and he is on London Welsh Rugby Club's committee. Sailing is also a passion and he has a second home at Fowey in Cornwall.

Unlike some of his predecessors, Mr Owen does not come to his new post with a ready-made profile or set of press cuttings. Outside the Bar, he is not much known. But within, he is regarded for his quiet firmness ("he gets things done") underpinned by strong moral values about the place of the Bar in society. He says: "I see the Bar Council as the custodian of the profession's

fundamental values — independence, professional integrity — which we safeguard essentially through education and training."

He would like to see a changed public image for the Bar. Most barristers do not earn high levels of fees, and legal aid fees, in particular current proposals for fixed fees will, he says, "have serious adverse effects on the public". He adds: "Lawyers have never been popular and I suspect they never will be. But that does not mean we should not be concerned to explain to the public at large all that we do."

That is the best response to cynics who perpetually snipe at lawyers and who find it difficult to understand how anybody can act other than in naked self-interest.



Robert Owen: "To some extent, we are setting the agenda for ourselves for this year, but I suspect it will be set to a large degree by the new government, of whatever complexion"

“It is a matter of concern that students carry an increasing burden of debt into practice”

up to £2,000 compensation. The scheme has already come under fire for being watered down to meet the concern of criminal barristers that it will prompt complaints from every convicted client. But Mr Owen thinks it strikes a fair balance. He says: "The role of the complaints commissioner is going to be vigorous in filtering complaints — at present about 70 per cent of complaints are found to be without foundation."

"The new scheme does mean, however, that the lay person is going to be able to complain of inadequate professional service and when that is found, it will be open to the adjudicating panel to award compensation where the complainant has suffered a

Then there is the new clearing scheme, widely criticised by students after 300 of them were offered all 800 places, leaving hundreds of would-be barristers in limbo for weeks. "There have been concerns raised by many students, so we are obviously having a closer look. This year's lessons must be learnt. But I remain convinced that the reasons for its introduction, the relief of pressure on students of making multiple applications, and on chambers of processing vast numbers of applications, are as compelling as ever."

Education is one of Mr Owen's priorities. This year seven higher education institutions will be offering the one-year Bar training course for the first time, ending the

those in authority". He lifts the lid on Law Society freebies, the truth about the legal aid campaign and other matters.

Mr Mears may have a mission — but journalism is probably his first love. So if it comes to defeat, at least he may have found a new niche.

Student aid

THE LATE Lord Devlin's autobiography of his early life, *Taken at the Flood* (Scrivener, January 7) may have to run to a second edition.

Within a month, the Devlin family has sold about 300 copies of the hardback (£11, plus £1.45 postage a copy). The price is low because the family used Lord Devlin's advance from the only publisher prepared to consider it, who was David Machin, then joint managing director of Bodley Head and now Under-Treasurer at Gray's Inn. No one else envisaged a market for the book.

Details: Tim Devlin, 01580 893176.

SCRIVENOR

Howard at war

THIS WEEK the Police Bill — next the Crime (Sentences) Bill, Michael Howard is taking on the legal establishment almost single-handed — with the chief constables. The battleground in both cases is the House of Lords, where the Lord Chief Justice, Lord Bingham of Cornhill, is joining Tony Blair to try to force the Home Secretary's hand.

Last week Lord Carlisle of Bucklebury, QC, the Criminal Injuries Compensation Board chairman, previewed the next fight over sentencing. In a lecture at the University of Hertfordshire, he attacked plans for minimum and mandatory sentences as "unnecessary" and "ill-thought through", saying they would lead to injustice.

The prison population would also rise "at something in excess of 4,000" as a result, leading to tension in jails, without protecting the public.

Hacked off

BEFORE an invited audience of three government ministers, three Hackney council workers tried and failed last week to prove how easy it is to kick in a door on a prewar housing estate.

The old door resisted their

combined hobbled assault for five minutes, embarrassing officials from the east London council who hoped to prove the need for new (Hackney council-designed) security doors on every council flat.

The door fell off the moment the ministers' backs were turned.

Bugged

MARTIN MEARS, last year's Law Society President, is clearly not going away. With Robert Sayer, his former deputy and a handful of "active supporters on the Law Society's council", he has launched *The Caterpillar*.

The magazine is intended to spill the beans about the Society and to "behave like an opposition", particularly because Mr Mears plans to fight again this year. That means "unearthing the scandals, ineptitudes and other unpleasantness distasteful to



Cover of *The Caterpillar*

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NEW LAW JOURNAL



Negligence and the field of battle — can there be liability for the wrong decisions made by officers?

Ann Lyon poses the question in this week's NLJ.

Also in this week's issue:

- Neil Horner of Baker & McKenzie explains the trends in training for international law firms
- Student focus — a regular update by Peter Hungerford-Welch of the Inns of Court School of Law
- District Judge Stephen Gold previews the changes to be brought by the Civil Evidence Act
- Ivan Topping on police officers and Freemasonry

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One of the UK's leading law firms, Hammond Suddards has built an outstanding nationwide reputation. The firm has one of the largest litigation practices outside London and as part of the continued growth of the Manchester office is now looking for heavyweight litigators to join its impressive Manchester team. Described in the 1996 edition of the Legal 500 - (the Client's Guide to UK Law Firms) as "a considerable success," the Manchester office has one of the leading commercial practices in the North West.

The following appointments will complement existing expansion:

LITIGATION PARTNER

Currently a partner in a leading commercial firm you are able to demonstrate a track record of achievement. In return you will be given the opportunity to thrive in a firm with exceptional strength in depth. A substantial national resource base will enable you to play a major role in the firm's development into the next millennium.

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With not less than five years' experience you have an outstanding track record, together with considerable energy and drive. You have leading firm experience and can demonstrate the practical development skills and rainmaking potential necessary to achieve substantial success in return for significant prospects of advancement.

Our client is committed to the recruitment and retention of lawyers of the highest calibre - lawyers with the highest levels of commitment and the ability to fulfil the exacting demands of an impressive corporate client base.

QD For further information, in complete confidence, please contact Tim Marshall or Graham Manley on 0161 834 5977 (0113 226 1712 evenings/weekends) or write to them at Quarry Dougal Recruitment North, Regency Court, 62-66 Deansgate, Manchester M3 2EN. Confidential fax 0161 834 5985. This assignment is being handled on an exclusive basis by Quarry Dougal Recruitment North and any direct or third party applications will be forwarded to them.

PENSIONS LAWYER

Herbert Smith's hallmark is a vigorous and unequivocal commitment to our client's objectives. Our people are essential to our success. The firm's philosophy is characterised by professionalism, vitality, informality and flexibility, ready communication and an acknowledgement of the specific contribution which every lawyer makes to the practice.

Our Pensions Group services a substantial self-standing practice, comprising in excess of 100 pension schemes of all sizes, advising on contentious and non-contentious matters. Instructions range from reviewing and updating pension arrangements and advising on scheme reorganisations to handling court proceedings and investigations involving the Pension Ombudsman. The Group also handles the pensions aspects of major corporate transactions.

The growth of our practice in this area means we now require an additional lawyer, up to 3 years qualified, with a practical and commercial approach and excellent technical skills. If you are either a pure pensions specialist or combine pensions with another discipline we offer excellent quality work and career progression.

You can contact us direct by sending your CV to John Wood at Herbert Smith, Exchange House, Primrose Street, London EC2A 2HS. Fax 0171 496 0043.

If you would like further information, please contact our retained consultants Joe Macrae or Yasmin Phillips at Zarah Macrae Brenner on 0171 377 0510 (evenings/weekends 0171 359 5212).

ZMB



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CHAMBERS

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Salaries in Banking

One of the attractions of moving from private practice into investment banking is the remuneration packages on offer. We recently placed a mid-ranking solicitor from a top five City firm with a global investment house at a rate of £25,000 on his basic salary plus a generous benefits package.

With some exceptions, including the US firms, private practice has maintained a conventional banding approach to salaries. Financial institutions adopt a very different stance. Lawyers within investment banks receive generous salaries in addition to significant bonuses. Salary may account for only 70 per cent of total remuneration as most banks offer a car or car allowance (£4,000-£5,000 a year) and a mortgage subsidy or housing allowance.

The bonus element, paid as a lump sum annually, can easily exceed 30 per cent of the already high basic salary. Lawyers who work closely with traders in the front office as an integral part of the money-making operation may receive more.

Even at newly-qualified level, annual salaries exceed those in private practice. A position currently registered with us for a recently qualified solicitor straight out of articles carries a salary package in excess of £40,000. Given the long hours that many junior international finance assistants are required to work, it is not surprising that salaries at these levels combined with predictable working days are persuading them to move.

Stuart Morton

INDUSTRY

Sonya Rayner, Morwenna Lewis

Commercial: South East

Sole or Bar with approx 1-2 yrs' exp to join legal dept of well-known hi-tech co. You will advise on corporate and commercial matters and will be encouraged to assist in the development of the company's businesses.

Corporate Lawyer: London

Sole or Bar with c. 10 yrs' corporate exp to join legal dept of well-known Pte. Senior position requiring M&A, JVs & investment business exp on international scale.

Commercial Lawyer: West London

Junior lawyer to join international consumer goods co. Familiarity with IP and trademark work essential, although the role requires strong drafting and general commercial skills. Ideal as a first move into industry.

PRIVATE PRACTICE

SOUTH: Helen Mills, Aileen Shepherd
LONDON: David Woolfson, Simon Anderson NORTH: Sukh Bhatta

Legal Researcher

Lawyers needed to join researchers on Chambers' Directory. You will be talking to leaders in all fields of law and assessing the profession.

Capital Markets: City

Leading international firm with thriving securities practice focussed on emerging markets offers 3-6 year qual solr clear partnership track and premium salary.

Intellectual Property: City

Large firm with varied commercial client base seeks solr IP lawyer with predominantly contentious exp to join dedicated team handling wide range of hard/soft IP work.

Private Client: City

Leading private client practice acting for some of world's wealthiest individuals on tax and trusts matters offers work of highest quality to 2-4 yr qual solr.

International Lit/Arb: City

Major City firm with established int'l office network seeks 2-3 yr qual assistant with quality City training to handle exciting mix of international lit and arbitration.

IP/IT: City

Sole with 4-6 years' exp which must include IP and IT to join dynamic and fast growing legal department of financial services organisation. Excellent quality work; very attractive remuneration package.

Short Term Positions: London and SE

We currently have a number of vacancies for lawyers with up to 10 yrs' general commercial exp to join leading companies on a locum basis. Exp should include lit, trademarks, copyright law and co sec work.

Intellectual Property: Central London

Opportunity for Sole or Bar with 1-5 yrs' exp which must include IP/IT to join high profile int'l organisation. Must have good academic and technical background.

Projects/Construction: City

Medium-sized firm with one of the City's best-regarded projects practices seeks 3-6 year qual solr for non-cont construction aspects of big-ticket international projects.

Banking Litigation: City

Large national firm with strong London presence and an established reputation in contentious work seeks a 2-4 yr qual solr to join their growing banking litigation team.

Construction Litigation: City

Leading construction firm is experiencing huge growth in work and seeks enthusiastic assistants at all levels. Excellent remuneration package & working conditions.

Tax and Probate: Kent

Prestigious firm seeks NQ (with relevant exp in training) to 4 years qual solr to assist its private client dept. You should be highly numerate with a strong leaning towards personal tax work.

Banking: Manchester/Leeds

1-2 yr qualified banking specialist now sought by major firm to handle range of high quality work. £ Excellent.

IN-HOUSE UK

► **Senior Legal Counsel** Bucks
This US electronics multinational urgently requires a commercial in-house lawyer, 5-10 years qualified. As the sole UK based lawyer you will handle a broad European role and report to the General Counsel in Germany. Ref:2943N1

► **Commercial - European Role** Hants
This large US multinational is looking for a business minded lawyer, 3 to 5 years qualified, with general commercial experience to assume an autonomous role within a dynamic industry. Ref:70N1

► **Employment** London
This international US brokerage is seeking a 3 year qualified employment lawyer to assume a largely contentious workload. Language skills would be useful. Ref:2942N1

► **Construction** West Midlands
This well known construction company seeks to appoint 2 high calibre non-contentious lawyers with between 3 and 5 years relevant experience. The company offers excellent prospects. Ref:2890N1

► **IT & Commercial** Berks
A leading IT multinational requires an additional lawyer, around 4 years qualified, to join a small European legal team. Previous IT experience is preferable. Ref:2936N1

► **Finance Counsel** Surrey
This large US multinational seeks a 3 to 6 year qualified solicitor from one of the top City firms. You should have general finance experience including emerging markets, distressed debt and structured finance. Ref:2816N1

Contact Naveen Tuli or Rachael North

OVERSEAS PRACTICE

Within Private Practice we currently have vacancies for lawyers in the following locations:

Australia, New Zealand, China, Hong Kong, Japan, Indonesia, Singapore, CIS, The Emirates, Turkey, Greece, Hungary, Poland, The Czech Republic, Switzerland, Netherlands, France, Belgium, Ireland, Bermuda, and the Caribbean.

The Majority of the positions are for finance, corporate, banking or construction lawyers, but whatever discipline you are in, Daniel Lewis would like to talk to you.

OVERSEAS IN-HOUSE

► **Finance & Corporate Counsel** Paris
This large and well known European multinational requires a high calibre UK, US or Australian corporate lawyer with extensive finance experience to undertake a truly international role. Languages and experience of working in other jurisdictions would be a bonus. Ref:287N1

► **Private Client** HK, Bahamas, Cayman
This well known bank is looking to recruit 3 lawyers, with between 3 and 10 years private client, and particularly trust, experience, to handle unusual, business orientated roles. You must have strong academics and have worked with a top firm. Ref:2247N1

Contact Naveen Tuli

PRACTICE LONDON & NATIONWIDE

► **Oil & Gas** London
This firm with a strong niche has an opportunity for a 1-3 year qualified lawyer with relevant experience to join this small growing department. Ref:81LS

► **Commercial Litigation** London
The small London office of this sizable firm now has an opportunity for a general commercial litigation solicitor with around 5 years experience. Ref:438LS

► **Business Taxation** EC1
An ambitious tax lawyer, 3-5 years experienced with a large City firm or niche practice is currently sought by this international City firm. Experience relating to capital markets, banking and financial instruments is required and this is an excellent opportunity to help expand and develop the tax finance practice. Ref:362JF

► **Entertainments - Film** City
A non-contentious intellectual property lawyer circa 3-5 years qualified and with entertainment, particularly film, experience is sought by this top City firm with a reputation in this field. Ref:367JF

► **Senior Co/Com Lawyer** Hants
This major commercial practice with in excess of 120 fee earners and one of the strongest corporate departments on the South Coast is seeking a corporate/commercial lawyer with over 5 years experience to handle a high quality caseload. Ref:1114JF

► **Co/Com - HQ** Reading
This national practice is now seeking an additional company commercial lawyer with excellent experience during training. Ref:1114JF

Contact Jane Foster, Andre Field or Laurence Simons



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City

To £70,000 Package

Our Client is a highly regarded niche London based law firm considered to be a market leader in its specialist practice areas.

Continued expansion both in London and in the firm's regional offices has given rise to an outstanding opportunity for a Finance Director.

Reporting to the firm's Managing Partner and supervising a team of five, you will be responsible for the day to day running of the finance function including the provision of financial reports, monthly management accounts, cashflow forecasts, budgeting, tax returns and Law Society compliance.

You will also attend all partnership meetings and be involved in systems development, improving internal management information, due diligence, business development and, working in close conjunction with the Managing Partner, you will undertake a series of ad hoc commercial projects.

Crucially, therefore, you must possess the ability to provide strategic management and business advice to help implement the firm's progressive, yet realistically ambitious plans for expansion.

You must be a qualified Accountant, aged 35-45, and ideally with experience of working with the legal profession. You should be a strong communicator with proven managerial skills and have the desire to work in a challenging environment.



For a detailed and confidential discussion about this opportunity, please contact Jonathan Robin on 0171-405 6062 (0181-444 9970 evenings/weekends) Confidential Fax 0171-831 6394 or send your CV to: QD Finance, 37-41 Bedford Row, London WC1R 4JL

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European Products Counsel

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More companies come to 3Com for solutions they can depend on - making us the largest data networking company in Europe, with more than 70 offices in 30 countries and over 40 million users worldwide. We have been the driving force in Networking for over 15 years - pioneering innovations, providing solutions and setting standards others still struggle to match. Our phenomenal growth has resulted in our requirement for a manager of legal affairs to support our European Product Development and Manufacturing subsidiaries.

As part of 3Com's worldwide legal group, you will work closely with the management community in Europe and the Middle East, servicing the businesses located throughout the regions. You will negotiate, review and draft standard and bespoke technology licences and contracts for both the transfer and acquisition of technology. Policing IP's and implementing an IP strategy, you will also monitor developments in European Law, provide legal and general support to all product divisions and manage external legal advisers.

We are looking for:

- A qualified lawyer with at least five years' post-qualification experience
- Broad IT experience gained in practice or industry
- A team player with strong communication skills and a down-to-earth, hands-on approach.

3Com stay ahead by recruiting - and retaining - the best. If you have the commercial sense and drive needed to quickly integrate into the entrepreneurial culture and build strong working relationships, telephone Daniel Richards on 0171 269 2234 - fax on 0171 831 8662 - or write to him, enclosing your CV, at Michael Page Legal, Page House, 39-41 Parker Street, London WC2B 5LH. Michael Page are our exclusive retained consultants and all third party and direct applications will be forwarded to them.



ETHERNET SOLUTIONS

NETWORKS THAT GO THE DISTANCE

Time to take charge

In-house Banking Lawyer

City

& Excellent

As a leading commercial bank, which is developing its business in Europe and the UK, we have a company culture where we recognise that people make the difference. Targeted in our Global Trading Strategy as an area for growth, our London branch already comprises 70 staff and a management team of ambitious UK professionals. These are the main reasons behind our continuing UK expansion and why our London office is such an exciting proposition.

We are now looking for a seriously ambitious lawyer to establish a legal function within the operation. Based in London, you will deal with a broad range of issues arising

from our banking activities both in the UK and Europe - in particular compliance and regulatory matters.

This is a chance that requires a special kind of professional. With at least 6 years' ppe and an independent, commercially focused mind, you will have developed an outstanding track record in a top City Law Firm or another Bank. And with a flexible and practical approach, you will relish the opportunity to set up a function from scratch - at a particularly exciting time in our history.

We offer a salary and benefits package designed to attract the best - and we are looking to appoint the right person as soon as possible.

If you are looking to join a company where personal development is encouraged at every level, please contact our advising consultant, Geraldine Hetherington, Manager, at In-House Legal, 17 Red Lion Square, London WC1R 4QH. Tel: 0171 405 0151. Evenings & weekends on 0171 642 0124. Fax: 0171 831 6498. E-mail: hwgroup@hwgroup.co.uk

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- Corporate Insurance - 2 to 4 years ppe
- Financial Services
- Banking - 2 to 4 years ppe
- Insolvency - at least 4 years ppe
- Corporate Tax - Senior level

If you are interested in one of these positions, are currently at a top class City or National firm and have a strong academic background, together with the character and drive that we seek, then please contact **Dominique W Pengelly** or **Nicholas Robbins** on 0171 417 1400 (or 0181 960 6144 evenings/weekends) or write to them at **Garfield Robbins**, Royex House, Aldermanbury Square, London EC2V 7HR. Confidential fax: 0171 417 1444. E-mail: dominiquewp@garfieldrobbins.co.uk.



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Tel: 0171 417 1400
Fax: 0171 417 1444

In-House Lawyer

1-3 years PQE
London

An excellent opportunity for a young lawyer to develop an in-house career. The company is a dynamic and expanding multi-national and the world's largest supplier of information based solutions for improving business decisions. It seeks a first-class lawyer to work in a friendly and supportive environment assisting its Director of Legal Services. The position is based at its European head office in Central London.

You will be involved in a broad range of non-contentious work, including drafting and negotiating trading contracts.

You will have one to three years' experience in commercial practice. You will be able to draft and communicate in plain English, be computer literate, commercially minded, adaptable and creative, and show initiative. Experience of information technology contracts would be useful.

An attractive package is available, including a competitive salary, contributory pension scheme, bonus scheme, private health scheme, over five weeks annual holiday, and a company car or cash alternative.

Please send your full C.V., indicating your current salary and benefits and the names of three referees (who will not be approached without your approval), to Peter Watts our consultants at Austin Knight, Knightway House, 20 Saffron Square, London W1A 1DS by Monday 4th February 1997. Please quote reference number A1335. e-mail: pw@austinknight.co.uk

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HUMAN RESOURCES AND I.T. MANAGER

required of high calibre who will be responsible for the day to day management of all Personnel and Office Administration and maintaining the smooth running of the firm's I.T. resources.

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We are an Equal Opportunities Employer.

Please apply with C.V. to Mr. J. Fairclough, Evill and Coleman, 113 Upper Richmond Road, Putney, London SW15 2TL.

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Private company seeking to expand following highly successful first five years of trading seeks Graduate, aged 26-33, or those of sound academic background to be trained to the highest standard with view of full participation within 2-3 years. Call: GRAHAM JOHNSON 0171 379 5895

BARRISTERS' CHAMBERS

Busy Chambers in Lincoln's Inn require Junior Clerk to assist in indoor and outdoor office duties, including post, fax, photocopying, delivering documents and carrying books and files to and from court. Ideal applicant will be well-presented, well-spoken and able to work reliably under pressure and as part of a team. Computer literacy and an interest in law would be an advantage.

Applications with CV to: Mr J Hopkins, Chambers of C A Brodie QC, 24 Old Buildings, Lincoln's Inn, London WC2A 3LJ

ASSISTANT SOLICITOR required to handle varied workload of High Court Litigation and all other legal work. Must have 2-3 years' experience. Salary £20,000. Contact Alan Thompson, Arie Solicitors, 01293 523456

CORPORATE LAW Leading Manchester firm offering outstanding opportunity for new graduates to draft contracts for new clients, company litigation, company secretarial work, etc. Salary £18,000. Contact Alan Thompson, Arie Solicitors, 01293 523456

LEGAL CLERK. Busy Chambers in Lincoln's Inn require Junior Clerk to assist in indoor and outdoor office duties, including post, fax, photocopying, delivering documents and carrying books and files to and from court. Ideal applicant will be well-presented, well-spoken and able to work reliably under pressure and as part of a team. Computer literacy and an interest in law would be an advantage.

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Applications with CV to: Mr J Hopkins, Chambers of C A Brodie QC, 24 Old Buildings, Lincoln's Inn, London WC2A 3LJ

COMMERCIAL LITIGATION SOLICITOR

Reynolds Porter Chamberlain is a leading litigation and commercial practice.

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We wish to appoint a Solicitor with at least 2 years' litigation ppe to undertake commercial litigation including intellectual property and employment disputes.

If you have a good drafting ability, initiative and enthusiasm, we can offer early responsibility, a varied caseload and an attractive salary and benefits package.

Please submit a detailed curriculum vitae to:-

The Personnel Manager, Reynolds Porter Chamberlain, Chichester House, 278-282, High Holburn, London, WC1V 7HA. Fax No. 0171 242 1431

HEAD OF LEGAL

A newly created role within a highly successful IT company

Hampshire

£70 - 90,000

This is a superb opportunity to become the first in-house lawyer for a company that has a truly amazing story. Set up in the early 1980's, this privately owned software company has grown rapidly and now boasts a global network of 13 corporate offices and 500 staff. With continued international growth, the organisation now seeks to recruit a commercial lawyer to join their management team based in a Georgian mansion in North Hampshire.

Reporting directly to the Chairman, the role will involve providing legal advice to the Senior Management of the Company on all aspects of its business with particular emphasis on intellectual property protection and licensing, drafting and vetting agreements and contracts. The lawyer will also be expected to advise on ad-hoc matters including employment, litigation, compliance, company secretarial work and be responsible for the management of external legal advice.

Applications are invited from lawyers with international commercial and intellectual property experience who have already worked in-house. Individuals must be able to maintain an analytical, yet commercial approach and be able to provide genuine 'business' advice. Previous exposure to the IT industry will be useful but not essential.

This is an outstanding, challenging opportunity within a modern, young and rapidly expanding company with a strong international perspective.

Please contact Suzanne Tracey or Nick Root on 0171 415 2828, or write enclosing a full CV to Taylor Root, 179 Queen Victoria Street, London EC4V 4DD.

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LEGAL RECRUITMENT ADVISERS

COMPANY SECRETARY



Greene King is a leading pub retailer and brewer based in the South. Following the acquisition of the Magic Pub Company, Greene King is capitalised at £400m and with 1,100 pubs there is plenty of thrust for its Greene King IPA, Abbot and Wexford brands.

Due to retirement, a company secretary is sought to head up a small company secretarial team. The team's mission is to provide a first rate secretarial service to the Board and a commercially oriented legal service to the business units.

This is a broad commercial role responsible for maintaining the share register, administering the sharesave, share option and profit share schemes, handling trade loan charges, and co-ordinating property legal matters. The job entails managing the department, managing

relationships with a range of lawyers, and taking a leadership position within the company. Depending on individual skills there are opportunities to take responsibility for a wider portfolio.

A graduate, in your thirties or early forties, you will have a track record of taking organisations forward by improving services to the Board and the business and being pro-active in major corporate initiatives. Previous experience with acquisitions would be a distinct advantage.

This is a senior appointment and we are looking for an individual with the character and commitment to add weight to our senior executive team.

Salary is negotiable and a full range of company benefits are available.

For further details please contact Fiona Boxall or Jane Wallace or send them your CV.

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The Legal 500, The Clients' Guide to UK Law Firms, 1996.

Simmons & Simmons' Property Department handles many of the country's highest profile property transactions.

We are now looking for talented commercial property lawyers to work on all types of commercial property transactions. Successful candidates will have between three and six years' relevant experience, an excellent understanding of this area of the law, a proven ability to provide practical solutions, strong commercial acumen, ambition and the desire to be closely involved in complex transactions.

You can expect first rate work, high levels of client contact and responsibility, an opportunity to play an active part in the overall business planning and development of the firm, a relaxed and informal working environment and a remuneration package at top city levels.

If you want to be part of a fast-moving and energetic group, please write, enclosing your CV, to Anita Tovell, Simmons & Simmons, 21 Wilson Street, London EC2M 2TX.



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SIMMONS & SIMMONS

Corporate Lawyers

"There is no precedent for the cultural revolution at Simmons & Simmons: a Top Ten firm reinventing itself and doing so with such efficiency that the outside world didn't notice."

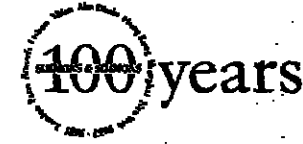
Commercial Lawyer, March 1996.

Simmons & Simmons identifies and overcomes the obstacles that stand in the way of achieving business objectives. To do this we help develop novel solutions such as the acquisition structure recently used by General Cable to buy out its joint venture partner's interest in Yorkshire Cable profiled in the November issue of "PLC".

We are looking to expand our Corporate Department with corporate lawyers of talent and ambition. Successful candidates will have at least two years' relevant experience, a proven ability to provide practical and innovative solutions, strong commercial acumen and the desire to be closely involved in complex transactions. We welcome applications from barristers.

You can expect first rate work, high levels of client contact and responsibility, an opportunity to play an active part in the overall planning and development of the firm's business, a relaxed and informal working environment and a remuneration package at top city levels.

If you want to be part of a fast-moving and energetic group, please write, enclosing your CV, to Anita Tovell, Simmons & Simmons, 21 Wilson Street, London EC2M 2TX.



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QD COMMERCE & INDUSTRY

SENIOR CONTRACTS MANAGER To £Competitive
International IT company seeks a contracts manager to be based at their Head Office forming part of the legal and commercial team. With at least 5 years' relevant commercial experience in the high-tech sector, you will be influential in negotiating and capable of developing new business relationships on behalf of the company. Ref: T25820

SENIOR CAPITAL MARKETS To £70,000
Qualified solicitor or barrister with experience of capital markets from a top City firm providing advice on repos, MTNs, bond issues and private placements as well as derivatives sought by major international house. You will have the ability to manage relations with external legal counsel and the gravitas to impress traders immediately. Very good salary and bonus structure. Ref: T35609

IN-HOUSE IT To £70,000
Major financial institution seeks to appoint its first IT lawyer to join a well established legal team. With between 3 and 5 years' post qualification experience you will have gained excellent IT experience to date from either an industry or private practice background. In addition to managing heavyweight international projects there will also be mainstream computer contracts and software licensing work. Ref: T28216

For further information in complete confidence, please contact June Mesier or Rebecca Errington on 0171-405 6062 (0181-442 0841 evenings/weekends) or write to them at QD Commerce & Industry, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax: 0171-831 6394.



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SENIOR IN-HOUSE BANKING To £Six figure package
International finance house with a reputation for excellent global investment banking seeks top notch banking/capital markets lawyer with between 4-8 years' ppe who will relish the prospect of creating, managing and heading up a legal team based in the global custody arena. Very good long term managerial prospects both here and internationally. Unrivalled position. Ref: T36118

MAJOR SERVICES COMPANY To £50,000
Large corporate seeks employment lawyer to join their highly commercial team. Ideally you will be at least 3 years qualified with relevant employment experience. You will gain a very broad ranging expertise both in contentious and non-contentious work. You will be involved in advice to Tribunals and Courts as well as employment policy advice. Ref: T33862

JUN. GEN. COMMERCIAL GLondon To £Excellent
UK pharmaceutical company seeks junior commercial lawyer with 0-2 years' ppe to join a small but established legal team. You will have a strong academic record, excellent commercial law training and a robust and customer focused outlook. Ability to work under pressure and meet tight deadlines crucial. Ref: T36099

SOLOMON TAYLOR & SHAW
PROPERTY ASSISTANTLONDON
NW3

to £40,000

KEY
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Saul Lehrfreund and Julian Knowles report on a scandal in the sunny Caribbean

Who can help on death row?

The Privy Council has few supporters in the West Indies these days. It is regularly criticised by Caribbean governments for supposedly being out of touch with social conditions in their countries, a coded way of criticising the number of successful appeals by condemned men.

Those on the left, at the same time as welcoming the Privy Council's decisions, are sensitive to the charge that it is little more than a relic of the era when whites told blacks what to do.

This criticism is starting to crystallise into something more ominous. The Government of Belize has proposed abolishing the right of appeal to the Privy Council in criminal cases, and in several recent appeals Belize has declined to be represented. The Belize Government's proposal does not envisage replacement of the Privy Council by another appellate body, at least not in the short term.

Most of the countries within the Privy Council's jurisdiction have written Constitutions containing protections against inhuman treatment by the State and guaranteeing the rule of law. Article 7 of Belize's Constitution prohibits inhuman or degrading treatment. In December we travelled to Belize to visit inmates on death row and to assist local lawyers with their appeals. The conditions we found the prisoners being kept in clearly breach Article 7, and were the worst either of us had ever seen. Our visit reinforced our view that despite its history and geography the Privy Council remains a vital safeguard for the most basic human rights. If governments and local courts are unwilling to enforce constitutional protections, the Privy Council must enforce them. Its abolition would reduce these constitutional protections to mere rhetoric.

Belize's death row is situated at Hattiesville prison, just outside Belize City. The Government abandoned the old prison at Belize City

in 1993 as a result of severe overcrowding, lack of internal sanitation, and general dilapidation. Though the prison complex at Hattiesville is much larger, it resembles — with cell blocks half-built — a building site. The maximum security unit, which includes death row, is a two-storey rectangular building with adjacent cubicles as cells. Inmates are not protected from the elements because the front of the cells is secured by bars.

The total disregard for humanity and basic human rights at Hattiesville is startling. As we approached the unit along an uneven dirt track, the smell of human excrement and bodies crammed together in the stagnant heat was overpowering. To enter the unit, we had to walk across a plank over a moat of stagnant liquid and excrement in front of the cells, no more than 2ft away. In the unit we found prisoners crammed five or six in cells measuring 9ft by 6ft. Each cell contains one bunk, which we were told by inmates is occupied by the "strongest" inmate. The other men lie down on the concrete floor if there is space, or crouch until there is space to lie.

Each cell has a toilet but none of them seems to work, which means that all the men are required to use a bucket. It is difficult to imagine who suffers the greater indignity — the inmate forced to defecate in front of his companions, or those who have to sit in close proximity.

Prisoners told us that they spend almost 24 hours a day in their cells. There are virtually no educational or recreational facilities and no medical, dental or psychiatric care. We noticed one prisoner on death row in a cell by himself, sitting on the floor with a blanket wrapped around him. When we asked his neighbour who he was, we were told that he had been there for four years, having been found unfit to plead. He was clearly mentally ill, but the only care he was receiving



Testing the rope: Bernard Adolphus, superintendent at Hattiesville

was being provided by other death row prisoners. It was obvious that the authorities had forgotten him.

Though conditions for death row prisoners are less overcrowded, the cruelty of these conditions for them was recently given a refined edge by the erection of new gallows adjacent to the condemned cells. The prisoners will almost certainly be able to hear the gallows being tested and the crash of the trap doors should any of them be executed. Though the prison superintendent told us that lack of money was to blame for the poor conditions, money could obviously be found for new execution apparatus.

Almost the worst aspect of the conditions at Hattiesville is the hopelessness and desperation of the prisoners. We were accompanied on our visit by Simon

Sampson, Senior Counsel, who is legendary among the prisoners for the amount of legal aid and pro bono work he does on their behalf. As we walked toward the unit, the prisoners came to the bars of their cells and began shouting his name in a vain attempt to attract his attention. We were told that few other lawyers bother to visit the prison because they find the conditions so disturbing.

The Belizean Government is fully aware of the appalling Hattiesville conditions but refuses to acknowledge them officially. Last year a report on the prison was produced by Belize's own Education and Rehabilitation Task Force. Its sole conclusion on conditions was that "Conditions in the maximum security unit are noticeably unsanitary and overcrowded".

To read the report, it was easy to suppose that the task force had visited a different prison.

Despite the apathy of much of the local Bar, and the indifference of the Government, several death row inmates (represented pro bono by Mr Sampson and Kirk Anderson, his colleague) have challenged their conditions of confinement on the grounds that they violate Article 7 of the Belizean Constitution. The response of the local court to these applications has, however, been lamentable. The Supreme Court of Belize has dismissed these challenges as "frivolous and vexatious", despite the fact that the conditions clearly violate several international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners and the International Covenant on Civil and Political Rights and the American Convention on Human Rights, as well as Belize's own Prison Rules, which supposedly lay down minimum standards of treatment. It is likely that these cases will be heard by the Privy Council later this year.

At Hattiesville, the prisoners have all but exhausted their domestic remedies. Who, then, is to enforce the constitutional guarantees? It may suit the purposes of the Belizean Government to castigate the Privy Council as a relic of the UK's imperialist past, but these platitudes avoid the real issue. The fact is that Belize is not living up to the impressive affirmation by its people in their Constitution that "the Nation of Belize is founded upon principles which acknowledge the Supremacy of God, faith in human rights and fundamental freedoms... the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by the Creator".

This leaves the Privy Council to face up to the reality of the situation and to ensure that these constitutional rights have effective remedies. Ultimately, the enforcement of human rights is more important than who it is that enforces them.

Julian Knowles is a barrister at 3 Raymond Buildings, Gray's Inn. Saul Lehrfreund is a human rights case-worker at Simons Muirhead & Burton, London. Simons Muirhead & Burton provides pro bono representation to more than 30 condemned men in the Caribbean for the purpose of appealing to the Privy Council, as well as to the UN Human Rights Committee and the Inter-American Commission on Human Rights. The project, supported by Penal Reform International, is co-funded by the European Commission and Simons Muirhead & Burton.



Weekly hours test case looms

EU ruling ignites row over rights at work

There was a big fuss before Christmas when the European Court of Justice ruled against Britain over minimum working hours. This meant that along with all the other member states, Britain became subject to the terms of the Working Time Directive on November 23 last year. But unlike most of its partners, Britain has still not implemented it, a breach which leaves the Government open to claims for damages from workers.

Some unions — such as Unison, the GMB and the MSF — are already considering the legal options open to them on behalf of their members. Richard Arthur, Unison's legal officer, explained that this could be "either an action by the union to force the Government to implement the directive now, or a claim by an individual worker through the courts".

But the Government remains bullish in its approach. A spokeswoman for the Department of Trade and Industry claimed that she did not expect any challenge to succeed, because "the courts will use the test of reasonableness and our response has been perfectly reasonable. We are going to implement the directive; we just need time to consult."

But Stephen Cavalier, head of the employment rights unit at Thompsons, the law firm that specialises in trade unions, says: "This will not work, because they could have been consulting since 1993. As of Saturday [November 23 last year], a public sector worker can bring a claim against his employer. In the private sector, a claim can be brought against the Government."

Brian Bercusson, Professor of Law at the University of Manchester, explains: "This is because directives have a direct effect on those working for the State or emanations of the State, such as private utility companies." And the Working Time Directive

contains a number of provisions which fit that bill: such as the right to four weeks paid holiday, a maximum working week, minimum daily and weekly rest periods, a break during the working day and restrictions on night work.

Conversely, an individual in the private sector has to bring a claim against the Government, not his employer. Known as a Francovich claim, it means that if a directive is not properly implemented, anyone who has suffered damages can sue the Government if their individual rights have been violated.

Mr Bercusson reckons that this failure could have immediate implications. "In the public sector, any contract which requires an employee to work more than 48 hours on average is now unlawful and therefore that employee can sue for damages, if penalised by the employer," he says.

In the private sector, workers would have to wait for the damage to be caused, but this could include financial damage where the employer refuses to promote someone who will not work more than 48 hours. That would open the way to a claim for damages.

Another recent case decided by the European Court of Justice gives workers the right to sue for compensation for damages if a member state fails to implement a directive on time. So however bullish the Government's approach, this decision should set off some alarm bells because it has made itself liable.

The question which remains unanswered is why the Government has gone to such lengths to resist implementing what one of its own ministers once called a toothless piece of legislation. Perhaps Mr Arthur is right to accuse the Government of "playing politics with people's jobs".

ALISON CLARKE

• The author is legal officer with the Manufacturing Science Finance Union.

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For further information in complete confidence, please contact Dominique W Pengelly or Nicholas Robbins on 0171 417 1400 (or 0181 960 6144 evenings/weekends) or write to them at Garfield Robbins, Royce House, Aldermanbury Square, London EC2V 7HR. Confidential fax: 0171 417 1444. E-mail: dominiquewp@garfieldrobbins.co.uk

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- SENIOR INHOUSE** CTOP CITY
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London Head Office

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This assignment is being handled exclusively by Reuter Simkin, Legal Recruitment Consultants. To discuss this opportunity in complete confidence please telephone Gill Newman BA (Hons) or Claire Hine LLB (Hons), quoting reference 34885. Alternatively, send your CV to the address below.



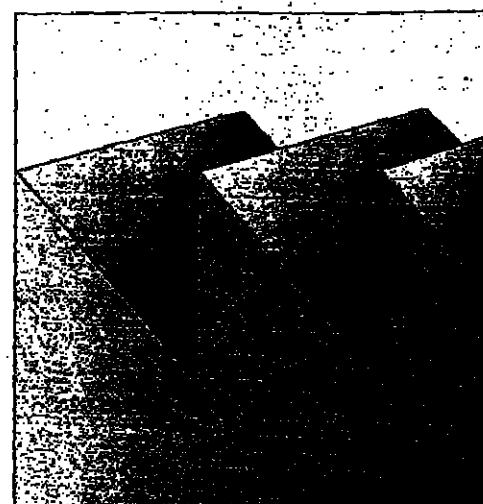
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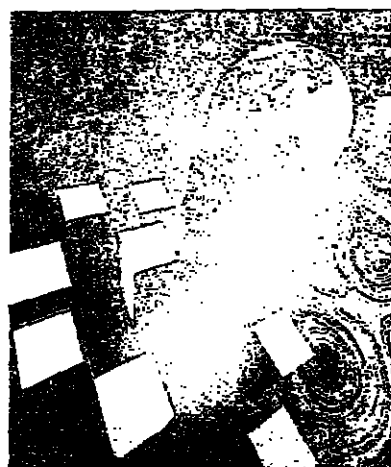


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The Royal British Legion is the principal service charity dedicated to the welfare of the serving and ex-service community. With a turnover of £20 million, membership of 750,000 and more than 3,000 branches and 500 clubs, the Legion employs 650 staff throughout the UK covering a full range of charitable activities. We have seven related companies employing a further 2,000 people, more than half of whom are disabled.

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The successful candidate will be dedicated to the aims of the Legion, should have 3-5 years legal experience. He or she should possess excellent communication and interpersonal skills and should be robust, logical, analytical and calm. This role may involve some UK travel, and occasional weekend working.

Applications by CV and covering letter to The Personnel Officer (LA), The Royal British Legion, 40 Pall Mall, London, SW1Y 5JY by 14 February 1997. As a charity, no acknowledgement will be sent unless an S.A.E. is enclosed.

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Manchester wins battle for the North West

Edward Fennell on the mergers that demonstrate Mancunian dominance over Liverpool's legal community

It was a tale of mixed fortunes from the North West last week. While Liverpool reeled at the announcement from Halewood, most of Manchester rejoiced at the good news about the airport expansion.

For the lawyers in the region it was the final evidence, if any more were required, that Manchester is now the dominant force in the region. There is now a belief that the Manchester scene has regrouped after surviving last year's bombing, and could start to challenge Leeds as the legal capital of the North.

But do recent developments make such references look dated? Can we still talk of major North West law firms or are they actually bigger than that? The big news stories on the local legal scene are all about mergers and rumours of mergers.

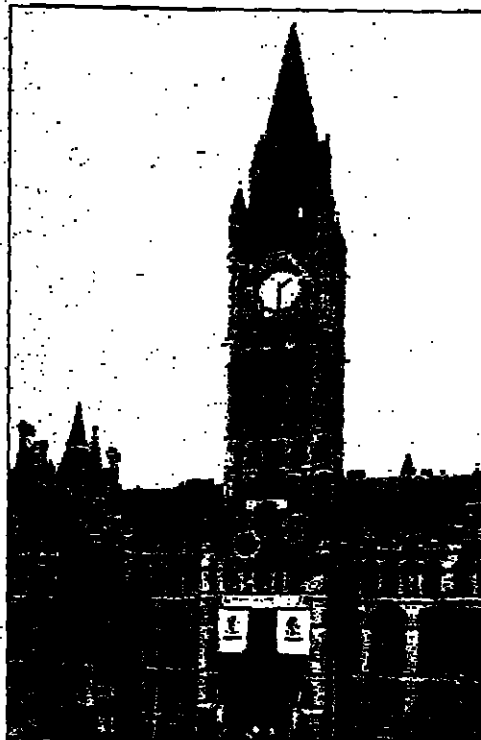
In particular, the absorption last year of Allsop Wilkinson into Dibb Lupton Broomhead to form Dibb Lupton Allsop was of national significance. It meant that Dibbs was now firmly established in Manchester and Liverpool and that

it now has the largest operation in the North West.

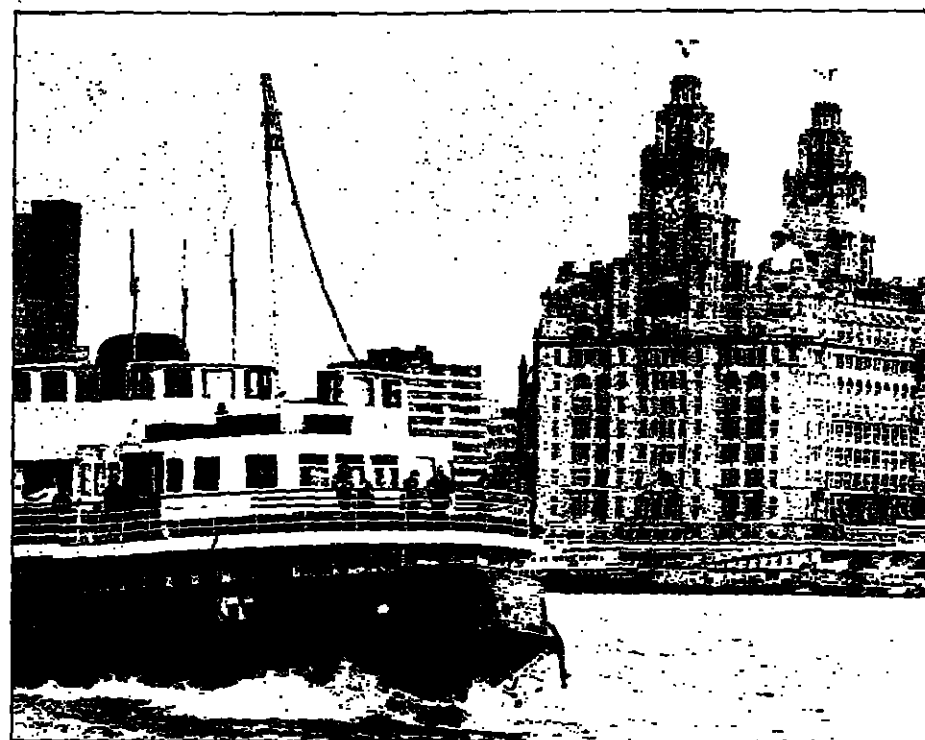
But as Paul Nichols, the regional managing partner, explained last week (in the middle of moving house so as to be midway between Liverpool and Manchester), his colleagues have only partly a regional allegiance. All of them are members of specialist groups organised nationally which may take precedence over any regional link.

Hence a lawyer in Manchester or Liverpool could quite possibly be working for a client in Sheffield or a transaction managed from Birmingham. Through technology it does not matter where you work, but how good you are at your job. This is illustrated even more forcibly by the merger of Leeds-based Booth & Co and Manchester's Addleshaw Sons & Latham, which takes effect on February 1.

The new firm — to be called Addleshaw, Booth & Co — is promoting itself as being "the firm of the North" and, in many ways, the traditional barriers between Yorkshire and Lancashire are being eroded. As in most current



The Town Hall in Manchester, a city with an expanding legal community. At Liverpool, above, the legal scene changes little



thriving Manchester practices and comment that the city is now regarded by many young professionals as an attractive place to live and work in.

Liverpool, by contrast, seems to be marking time. The legal scene changes little. Recruitment is more by word of mouth and personal recommendation than by public advertisement and its quality work is concentrated into a couple of fields — shipping and insurance.

There was depression among Liverpool lawyers last week on the news from Ford. It seemed like a kick in the teeth to an area which has been trying to improve its image and so a well-established firm like Weightmans, which specialises in insurance litigation, was having to console itself by emphasising its wider work.

Michael Ball, a partner, said: "We have clients from Scotland down to the South Coast and we find that in many ways Liverpool is still a good place to be a lawyer. The overheads are low and it is fairly easy to travel from here to other parts of the country."

Even so, according to Graham Manley of Quarry Dougal, few young lawyers wish to work in Liverpool unless they have a specific link with the city through either family or university, and this is likely to inhibit the ability of firms to attract bright talent. After last week, Manchester now reigns triumphant.

mergers the aim is to give clients a comprehensive service in a firm which is large enough to do all the most specialist City work. This, claims Paul Lee, the senior partner of the new firm, is what the clients want and already, in the run-up to the merger, it is attracting some big fresh clients drawn in by the scope that is now an offer. In effect,

however, the creation of Addleshaw, Booth & Co looks like a rerun of the Dibb Lupton experience. Once the current merger has bedded down it is likely that further expansion or mergers will follow, with a strong London presence quite possibly the ultimate objective. The new firm will continue to function happily between the Nor-

ton Rose M5 network for the time being but, once we are beyond the millennium, the temptation of this northern firm to go national may be too great to resist.

In the meantime, Manchester's importance is already recognised, not just by the presence of other national firms such as Eversheds, Garrett & Co, and Hammond

Suddards but also leading London firms such as Masons (the construction specialists) and Davies Arnold Cooper. As a result recruitment agencies find that where once émigrés from London used to gravitate to Leeds, they are now equally interested in Manchester. Both Quarry Dougal and ZMB, the leading London agencies, have

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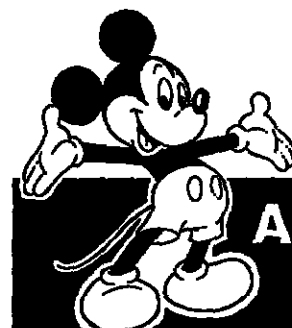
FINANCE To £75,000
If international finance is your thing, look no further than this top 10 City firm. It can offer the very highest quality of work in all areas, including structured finance, projects and international transactions. All you need is some experience in banking or capital markets, perhaps securitisation and projects. Ref: T21647

COMMERCIAL PROPERTY To £60,000
Partnership is the very likely next step for the 5-7 years qualified commercial property lawyer who joins this well-established medium-sized firm. A following would help but is not essential, as would experience in secured lending, landlord and tenant, and residential and commercial development. Ref: T29638

CORPORATE TAX To £40,000
The success of this top 10 City firm's corporate tax department is going hand in hand with that of its corporate and finance departments. This is a very exciting time for a corporate tax lawyer with 2+ years' ppe to join the firm, especially if he or she has indirect tax experience. Great prospects. Ref: T20997

CAPITAL MARKETS To £65,000
This top 10 City firm offers more than endless bond issues and will involve you - a lawyer with 0-5 years' ppe - in a wide range of matters, such as securitisation. If 2+ years' qualified, you should have relevant City experience. If less, then experience in banking or corporate finance and an interest in this area is essential. Ref: T12975

PENSIONS To £55,000
This top 20 City firm is constantly in the news at the moment, as it is constantly involved in the top deals. This means that a pensions lawyer with 3-5 years' ppe will get to work at the cutting-edge of corporate work, making it the perfect time to join. For this firm and this lawyer, the only way is up. Ref: T30175



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Chambers Banking & Finance specialise in the recruitment of lawyers into banks and other financial institutions. For further information about the above positions or for constructive career advice, please telephone Deborah Kirkman or Stuart Morton on 0171 606 9371. Complete confidence is assured.

US Investment House £70,000 + bonus: City

This US house is a global leader in investment banking and seeks a senior lawyer (4-6 ppe) to support a new business area.

This is an unusual opportunity as the successful candidate may have either general banking or corporate transactional experience gained in a major law firm or other investment bank. The position will involve handling and co-ordinating projects arising out of a recent acquisition and its integration into the bank's existing business.

In order to succeed applicants will need to display real dynamism and self confidence as they will be granted a high degree of autonomy within a demanding environment. Liaison with both internal departments within the bank and external clients will be a key element of the role and therefore client skills are of prime importance.

Partner Moves

COMMERCIAL PROPERTY

Our client is a leading litigation and commercial practice with an outstanding reputation in the insurance market. The firm now seeks a commercial property partner to assist in the development of a small but busy department. Whilst some following would be useful, more importance will be given to proven entrepreneurial and leadership skills. An opportunity to make an impact.

PRIVATE TAX

An excellent opportunity has arisen with a well-established, progressive City firm looking for a partner, or possibly a small team, to add further substance to a high profile, but small Private Client department offering strategic and technical advice to high net worth individuals. Some following is necessary to justify the seniority of the appointment, and to demonstrate the ability to generate work.

CORPORATE FINANCE

A leading player in commercial litigation, both in the UK and internationally, our client now needs to address a client driven demand and an increasing non-contentious workload for another corporate finance partner or partner designate. No following is required, but pedigree, drive and enthusiasm are essential in order to work with a young, dynamic team.

THE REGIONS

Several of our leading regional clients have outstanding partnership opportunities in a range of commercial specialisations for senior solicitors in first rate City or major regional practices with 4-8 yrs ppe. Firms are not seeking client followings but candidates should have proven client development skills.

For further information in absolute confidence about the opportunities available to those seeking a partnership move, please contact Dominique Graham, a specialist in partnership appointments, at Graham Gill & Young, 46 Kingsway, London WC2B 6EN. Tel 0171 430 1711. Fax 0171 831 4186.



GRAHAM GILL & YOUNG

Over the years her repertoire of gymnastic jumps has been her salvation, but she was like a wounded bird yesterday. At her best she would complete seven triple jumps to offset her inferior skating technique, but there were only three, four if you allow her a dubious lutz.

Dr A M Seywood, Westminster Medical Ltd
7 The Pastures, Duffield, Derbyshire DE36 4EX
Tel: 01332 840202 Fax: 01332 840101
Also at: 70 Harley St, London W1N 1AA Tel: 0171 932 0012
Centres at: Birmingham, Bridport, Brighton, Colchester,
Northampton, Portsmouth and Stiles on Trent

Forward march puts logic in the background

LAURENCE: I have a question about the last part of the paper. I was wondering if you could explain the significance of the results regarding the impact of the intervention on the long-term outcomes of the study.

TENNIS: WORLD NO 1 STRUGGLES TO BEAT 19-YEAR-OLD AS TEMPERATURES SOAR AT AUSTRALIAN OPEN

Sampras survives heat of the moment

FROM MICHAEL HENDERSON IN MELBOURNE

IT IS a distinct possibility that the sun will claim a casualty from among the players in this Australian Open before it finishes on Sunday. The heat yesterday was merciless and the northerly wind in late afternoon served as a sirocco so oppressive that scores of spectators were treated for heat exhaustion. To play in such conditions, described by Pete Sampras, no less, as the toughest he had ever faced, took a will of steel.

As the final match of the evening began on centre court, between Thomas Muster and Jim Courier, the lights at Melbourne Park went out. At the same time, 500 yards away at the Melbourne Cricket Ground, where Pakistan were beating West Indies to win the World Series Cup one-day series 2-0, the floodlights failed. In both instances the extreme heat was held responsible for causing the temporary electricity failure.

It was so hot in Melbourne yesterday — 61°C on court in the early afternoon and a whopping 33°C at 12.50am, when Muster finally overcame Courier in four draining sets — that scores of spectators at the tennis and cricket received treatment for heat exhaustion.

In the country areas of

Victoria, fire-fighters dealt with several blazes in the bush and water-bombers were even sent in to douse the flames. In short, this was no day to be playing sport. According to Wasim Akram, the captain of Pakistan, who has seen a fair few hot days in his time, "it was far too hot".

Sampras, the No 1 seed, was shattered. He used up all five sets to beat the 19-year-old Dominik Hrbaty, of Slovakia.

QUARTER-FINALS

Men's singles: P Sampras (US) v A Costa (Sp); G Ivanisevic (CRO) v T Muster (AUS); C Moya (Sp) v F Mantilla (Sp); M Rios (Chile) v M Chang (US)

Women's singles: S Appelmann (Bel) v M Pierce (Fr); A Coester (SA) v K Po (US); M Hingis (Switz) v I Spilane (Rom); D van Roost (Bel) v M J Fernandez (US)

6-7, 6-3, 6-4, 3-6, 6-4 and was thankful just to squeeze past a tiro who was playing in his first grand-slam tournament. Hrbaty came close to causing a significant upset because he led 4-3 in the final set before Sampras pulled rank. But afterwards the world No 1 spoke of the heat rather more than the match.

"It was so hot today, it was a joke," he said. "It really was tough to play out there."

Asked whether the heat condi-

tioned a health hazard, he said: "I think that's something a doctor should answer. There were times in the match when I was feeling it, but it's so hot, especially on that court, because a rebound ace court just absorbs all the heat and makes it that much tougher to breathe and play. My feet were on fire."

"The quality of tennis is not going to be great... the only thing you can do is drink a lot of fluids on the change-over, get an ice towel on you. I think there's going to have to come a point where someone gets hurt out there to make some sort of rule and, until that happens, I don't think anything is going to happen. These are the toughest conditions I've ever had to play."

For Hrbaty, a keen skier from Bratislava who turned professional last year, it was almost the day of his life. Almost, but not quite. "I hope the next time we play each other, I beat him," he said with disarming honesty. In Paris three years ago the Slovak, who was playing in the junior tournament, asked Sampras for his autograph. "Next time," he added cheekily. "I hope he asks me for an autograph."

Sampras will now play Alberto Costa, of Spain, in the quarter-finals. Costa came through after beating Wayne Ferreira, of South Africa, who retired in the third set with a thigh strain. Goran Ivanisevic meets Muster, who beat Courier for the first time since 1990 despite being treated on court for a sore toe and numb fingers.

In the women's section Martina Hingis continues her march towards the final, although she struggled to win the first set of her match with the Romanian, Ruxandra Dragomir, on a tie-break after surrendering three of her service games. The second set proved less troublesome as she won six successive games to wrap up a tidy win and keep everybody excited about the prospect of watching the youngest player to win a women's grand-slam tournament this century.



Sampras is physically drained after his win over Hrbaty

Medical briefing, page 9



Dominique van Roost, of Belgium, races to the net during her defeat of Chanda Rubin

Men's singles	Fourth round	P Sampras (US) bt D Hrbaty (Slovakia) 6-7, 6-3, 6-4, 3-6, 6-4; G Ivanisevic (CRO) bt T Muster (AUS) 4-6, 6-2, 6-7, 6-3, 6-3; A Costa (Sp) bt W Ferreira (SA) 6-3, 6-2, 3-6, 7-5, 6-3
Men's doubles	Third round	S Lauer (Can) and A O'Brien (US) bt T Kemper (Hol) and T Nielsen (Hol) 6-3, 6-0; R Leach (US) and J Stark (US) bt J
Women's singles	Fourth round	I Spilane (Rom) bt K Habsudova (Slovakia) 6-4, 6-4; D van Roost (Bel) bt C Rubin (US) 7-5, 6-4; M J Fernandez (US) bt P Schuyler (Switz) 4-6, 6-4, 6-1; M Hingis (Switz) bt R Dragomir (Rom) 7-6, 6-1
Women's doubles	Third round	C Martinez (Sp) and P Tassinari (Arg) bt K Habsudova (Slovakia) and R Zrubkova
Mixed doubles	Second round	L Mickel (US) and R MacPhie (US) bt G Fernandez (US) and A Forest (Jap) 6-4, 6-3; L Raymond (US) and P Norval (SA) 6-1, 6-0; A Kournikova (Russ) and M Kowalev (Bel) bt K Po (US) and J Wicks (US) 6-7, 6-4, 6-1; L Neiland (Lat) and J de Jager (SA) bt H Sakon (Can) and C Sak (Can) 6-3, 7-6, 6-3; Mackedenzie (US) and J Elgort (Hol) bt J Capriati (US) and P Cash (Aus) 6-3, 6-2

ICE HOCKEY: SUPERLEAGUE TITLE RACE HOTS UP AS CARDIFF DEVILS SUCCEED TO NEAREST RIVALS AT FIFTH ATTEMPT

Kovacs hat-trick steals narrow victory for Sheffield

By NORMAN DE MESQUITA

CARDIFF Devils and Sheffield Steelers met for the fifth time in the Superleague this season on Saturday and, for the first time, the Steelers won. 7-6. Frank Kovacs scored three times for Sheffield, his first goal coming after only 13 seconds.

The Steelers led 5-0 after less than nine minutes, but the Devils gradually picked up their game and hauled

themselves to within one goal with two minutes remaining. However, Sheffield just held on for a victory that brought them to within one point of the Devils with a game in hand.

Cardiff bounced back on Sunday, however, and reopened a three-point lead with an 11-2 rout of Nottingham Panthers — the second time in three games that they had scored 11 goals. Kip Noble contributed a hat-trick.

Ayr Scottish Eagles had mixed

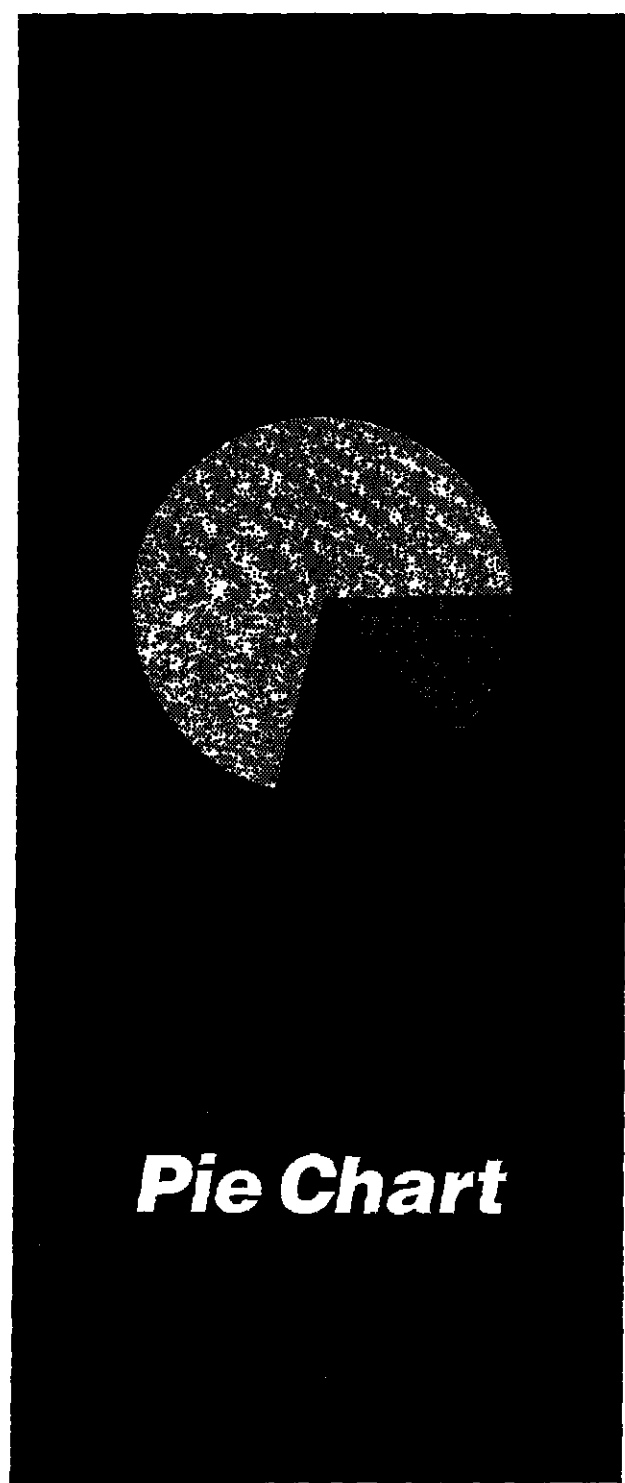
fortunes on their trip to southern England, beating Basingstoke Bison on Saturday, but losing to Bracknell Bees the next day. Bison made far too many defensive errors and, but for the heroics performed by Richard Gallace, their goaltender, would have been beaten more heavily than 6-4. Times without number, Gallace was left to face marauding Ayr forwards without a Basingstoke defender in sight.

Two goals in eight seconds gave Bracknell just the start they wanted against the Eagles and they led 3-0 before Jiri Lala opened Ayr's account. The Scottish side never got closer and Bracknell, backed by another fine goalkeeping performance from Mark Bernard, won comfortably, 6-3.

The win took the Bees off the bottom of the table and once again relegated Manchester Storm to last place. For all the personnel changes

that John Lawless, their manager, has made, the Storm are still not competitive and it is hard to see them showing any significant improvement during the rest of the season.

Sheffield have now opened up an eight-point gap ahead of Newcastle Cobras, who lie third, and the game on Saturday between the leading two in Cardiff could go some way to deciding which of them will take the title.



Pie Chart

Depth (cm)	Conditions	Runs to resort	Weather (Spm)	Last snow
AUSTRIA				
Mayrhofen	30 65 fair varied	art	snow	0 20/1
Obergurgl	40 150 good varied good	snow	-3	20/1
Sil	20 65 fair varied icy cloud	0	5/1	
FRANCE				
Ape d'Huez	135 270 good heavy good	snow	1	20/1
Méribel	70 145 good powder good	snow	220/1	
La Tania	100 140 good heavy good	cloud	320/1	
ITALY				
Cortina	50 120 good heavy good	snow	0	20/1
Valgö	100 200 good powder good	snow	-1	20/1
SWITZERLAND				
C Montana	60 250 good heavy good	snow	0	20/1
Klosters	25 140 good powder good	cloud	3	20/1
Mürren	90 200 powder powder good	snow	1	20/1
Saas Fee	65 280 good powder fair	snow	-1	20/1

Source: Ski Club of Great Britain. L - lower slopes; U - upper; art - artificial

WORD-WATCHERS

Answers from page 47

FENAGE

(c) The hay crop. From the Old French *fennage* from *fener* to make hay. Late Latin *faenare*, *faenum* hay. 1610: "The sowing of seeds of Trefoyle doth much enrich Meadows both in Forrage and Fenage."

GNATHO

(a) A person resembling the Gnatho of Terence. A parasite or brown-nosing sycophant. Terence gave his archetypal sucker-up his name from the Greek *gnathos* a jaw. Charles Kingsley, *Westward Ho!*, 1855: "That Jack's is somewhat of a gnathic and parasitic soul, or stomach, all Bladford apple-women know."

FLAUTANDO

(b) The musical direction to a violinist or other string player to make a noise like a flute. From the past participle of the Italian *flautare* to play the flute. A dictionary of musical terms of 1876: "Flautando, flautato (It). Like a flute: a direction to produce the flageolet tones on the violin, etc."

GAYAL

(c) A semi-domesticated kind of ox common in Burma, Vietnam and Bangladesh. By some believed to be a variety of the gaur. By others regarded as a distinct species (*Bos frontalis*). The Hindi word. "When a rich man has made a contract of marriage, he gives four or five head of gayals (the cattle of the mountains) to the father and mother of the bride."

SOLUTION TO WINNING CHESS MOVE

1 Rh8+! Kd8 2 Nd7+ Kf7 3 Qxd5 and White wins easily.

A Short guide to politics

A Ladywood Life. Radio 4 FM, 10.00am.

Clare Short is the best example in politics at the moment of someone people admire more than agree with. She is perceived as honest, frank, uncaring of image and unconcerned with ambition: we have a sneaking regard for MPs who are willing to upset their party leaders. Here, Short presents a tour of her constituency and although not damaging to New Labour, Short's concern for the people of Oldham was seen to represent shines through. Her great-grandfather came to Birmingham in the 1840s after fleeing the Irish famine and the family has become entwined there throughout huge demographic changes. The ethnic mix is perhaps best illustrated by the fact that Short the schoolgirl enrolled in the Brownies at a Hindu temple.

Night Waves. Radio 3, 10.45pm.

There are several good arts programmes on BBC radio and not the least of their merits is that they are scheduled at a variety of times in recognition of the fact that their audience has daytimes as well as night time requirements. *Night Waves* is especially good at featuring people who may not, but perhaps should be, household names. Georges Braque was as important as Picasso in the development of Cubism and tonight's programme is the subject of an exhibition at the Royal Academy of Art in London. Tonight's programme also reviews *The Nature of Blood*, the novel by Caryl Phillips.

Peter Bernard

RADIO 1	WORLD SERVICE
7.00am Simon Mayo 9.00 TBA 12.00 Mary Anne Hobbs 2.00pm Nick Campbrell 4.00 Mark Goodier 7.00p Swirling Season with Steve Lamacq and Jo Whalley 9.00p Cling Fann with Mark Kennedy and Mary Ann Hobbs. A weekly look at the charts, includes a special guest choosing their favourite film 10.00 Mark Radcliffe 12.00p Dave Strydom, includes at 12.15am The Net 4.00p Dave Strydom	All times in GMT. News on the hour. 5.30am Europe Today 6.45p Developments 7.15 On the Spot 7.25p News 7.50p Every Night Points a Picture 8.10p Words of Faith 8.15p The Wonderful Adventures of Mary Sasaki 8.45p Good Books 8.55p World Business Report 8.15p Quota. Unquote 8.45p Sport 10.30p BBC English 10.45p On the Spot 11.30p Meridian Feature 12.15p Britain Today 12.30p Jazz Score 2.00p Outlook 2.30p Multitask 3.05p Sport 3.15p Multitask Sessions 3.30p Shared Experiences 4.15p World Today 4.30p 12.30p Britain Today 4.30p World Business Report 5.45p Sports Roundup 6.30p Jazz Score 7.01p Outlook 7.30p Megaphone 8.15p World Today 8.20p Meridian Feature 10.30p World Today 10.45p Sports Roundup 11.10p Voicebox 11.15p Multitask Sessions 11.30p Megaphone 12.30p Sport 12.45p Britain Today 1.30p Outlook 1.55p Words of Faith 2.30p Composer of the Month 3.15p Sport 3.30p Meridian On Screen 3.50p Europe Today
RADIO 2	RADIO 5
6.00am Sarah Kennedy 7.30p Wales Up To Wogan 8.30p Ken Bruce 11.30p Jimmy Young 1.30p Debbie Thompson 3.00p Ed Stewart 5.15p John Dunn 7.00p Hayes 8.15p Britain Today 8.15p The Greatest 8.15p N Space. Starting Jon Pertwee (5/5) 9.00p Don't Cut the Out Dick Duggan looks at famous Broadway and Hollywood blunders 10.00p Company With Southern. Stephen Sondheim talks to Stephen King (8/5) 10.30p The James 12.00am. Arthur. Religion 3.00p. Steve Madden 4.00p. News	6.00am Morning Report 6.30p The Breakfast Programme 7.30p The Magazine 12.00p Midday with Ray 2.00pm Race on Five 4.00p Multitask 7.00p News Extra 7.25p The World's Tallest Man Carter. Introducing tonight's top footballing action 10.00p Neil Hall with Nigel Cassidy 11.00p 50/50. Sport with Valerie Sawley 11.30p 50/50. News with Vincent Carosso 11.55p 50/50. News with Rhod Sharp
RADIO 3	CLASSIC FM
5.00am Morning Report 6.30p The Breakfast Programme 7.30p The Magazine 12.00p Midday with Ray 2.00pm Race on Five 4.00p Multitask 7.00p News Extra 7.25p The World's Tallest Man Carter. Introducing tonight's top footballing action 10.00p Neil Hall with Nigel Cassidy 11.00p 50/50. Sport with Valerie Sawley 11.30p 50/50. News with Vincent Carosso 11.55p 50/50. News with Rhod Sharp	4.00am Mark Goodier 6.00p Mike Reid 8.00p Harry Kelly 12.00p Susan Nash 12.00p Midday Lunchtime Concerts. Britain Double Concerts in A minor. Op. 102. 3.00p. Jerry Hadley. 6.00p. Nightwave 7.00p. Newsnight 7.30p. Sonata. Bach (Chaconne in E flat major) 8.00p. Evening Concert. Beethoven (Piano Sonata No. 1 in F. Op. 2 No. 1) 10.00p. Michael Mapple 1.00pm. Mel Cooper
TALK RADIO	VIRGIN RADIO
5.00am Chris Ashley and Sandy West 7.00p Paul Ross 9.00p Scott Chisholm 12.00p Longevity Radio 1.00pm Home Boy 4.00p Dr. O'Connell. 5.00pm. News 5.30p. Mox. 6.00p. News. 7.00pm. James White 1.00pm. Ian Collins	6.00am Russ. 11.00am. Breakfast Experience. 10.00p. Graham. Date. News. 11.00am. News. 11.30am. News. 11.55am. News. 12.00pm. News. 12.30pm. News. 1.00pm. News. 1.30pm. News. 1.55pm. News. 2.00pm. News. 2.30pm. News. 3.00pm. News. 3.30pm. News. 4.00pm. News. 4.30pm. News. 5.00pm. News. 5.30pm. News. 6.00pm. News. 6.30pm. News. 7.00pm. News. 7.30pm. News. 8.00pm. News. 8.30pm. News. 9.00pm. News. 9.30pm. News. 10.00pm. News. 10.30pm. News. 11.00pm. News. 11.30pm. News. 12.00pm. News. 12.30pm. News. 1.00pm. News. 1.30pm. News. 1.55pm. News. 2.00pm. News. 2.30pm. News. 3.00pm. News. 3.30pm. News. 4.00pm. News. 4.30pm. News. 5.00pm. News. 5.30pm. News. 6.00pm. News. 6.30pm. News. 7.00pm. News. 7.30pm. News. 8.00pm. News. 8.30pm. News. 9.00pm. News. 9.30pm. News. 10.00pm. 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Builders' quotes, lies and measuring tape

Apparently, it's the custom for builders to drive their vans around residential streets, nodding with pride and achievement at each personal landmark they pass. "I done that one, I done that one, and I done that one," they say, quite cheerfully. Madonna Benjamin's *Cutting Edge* film last night, *The Builders* (Channel 4) cleverly showed how, from the builder's point of view, this heritage trail was a matter for self-congratulation, but also how the substitution of "done" for "did" was no accident of education. Beyond those walls, however, the builders' words were almost exactly "I've been done," they said, distantly. "I've been done, I've been done."

In all aspects of life, of course, we play characters in our own people's dramas, and they play parts in ours. Most of the time this

contra-deal is quite easy to accommodate. Yet for some reason, when building the human equation, the struggle for protagonist status can be titanic. In *The Builders* are coming to the fore might better have been called *The Builders are Coming*. Here and there, Benjamin followed three or four stories of ostensibly pleasant builders and their relationship with clients, whose promising relationship had been skewed by the simple fact that the builders routinely lied about completion dates, and moreover held the clients' homes to ransom.

When each of these clients employed their builder, you see, his can-do attitude persuaded them he would be a minor character in their drama; whereas in no time at all they have become just a laughable stage in his. From Gary the builder's point of view, his paymasters Rhona and Jerry are just ridiculous. He leans on a

spade and chuckles, while his long-haired pal Andy chews gum and looks at the clouds. The trouble is, Jerry gives them a list of new jobs each morning, while Rhona, a head teacher with an imaginary clipboard, checks progress relentlessly and complains about the hold-up. Gary can only shrug. If Rhona and Jerry contradict each other, it's part of life's rich pattern; to let off steam, it's no skin off his nose. Agreeing to everything, he mixes more cement, lays some bricks, and disappears on holiday.

Beautifully made and edited, *The Builders* are coming struck exactly the right note of sympathy; all the outrage and cushion-chewing was left to the viewer at home. Star of the film was a tall, complacent London builder, Simon, who in a proprietorially aggressive door-post without once offering a hand's



turn, and upheld, in all seriousness, that clients are simply too delicate to bear the truth. Moral philosophers should study Simon and write papers about him. He believes that lying is a necessary kindness, while at the same time he can't understand why his client relationships invariably end in a bitter divorce. At the end of the film, he is going to hate me, "he warns people when he starts each job. He shrugs

fatalistically. "It always happens."

Elsewhere on telly last night, the moral message was considerably easier to figure out. In Channel 4's *paranoid X Files* lookalike *Dark Skies*, for example, the bad guys are the ones who have a wiggle, leggy ganglions inside their heads: the good guys are ganglion-free. See? And philosophy made redundant at a stroke. President Kennedy and then Lee Harvey Oswald were both killed by ganglions. We always knew there'd be a simple explanation.

Meanwhile, ITV's new pathology drama *McCallum* completed the story started last week, and the culprit was Josh, the elder of Jane Lapotaire's two sons. Viewers may have guessed this, but the unfolding of the story was still quite gripping, perhaps because the hapless, Jewish family added a biblical overtones. Josh not only killed his supposed father, he then allowed his natural father to die

for him. And then he killed his brother. I think I said it was biblical. *McCallum* (made by STV) is very, very good by ITV standards. And since forensics are the key to *The Truth* (no argument about it, even the philosophers can rest easily in their bunks).

The big event of the evening, of course, was the well-publicised return of Ruby Wax Meets... (BBC1), a show which has presumably spawned a whole new breed of media trainers, teaching Hollywood actors how to act the goat for pleasure and profit. Sharon Stone has surely studied videos in advance, and had taken the sensible decision to act chummy in satin jimmies, as if the interview were, heck, a crazy stunner party! In passing — and then she could get a word in — she revealed guesimely fascinating insecurities, but the best friend act was so

phony it exposed the limits of Ruby's technique. At any point, Ruby could have broken the pretence wide open with "Do I know you?" But of course she never did.

Finally, Channel 4 chose a wearisome late-night spot for a serious, terrific and timely documentary by Claudia Njoku, *Pre-Madonna*, filmed in Argentina during the making of the movie. Intercutting Peronist diaries with Madonna wannabes, it was a study of fanaticism, idolatry and "cultural penetration", and also provided the sole example of human dignity in the whole evening. At its climax, a local actress dressed as Eva Peron sat bolt upright on a bench and sang a 1950s tango of astonishing force. "I'll return and I'll be millions," it went. With the might and power of the hurricane. "It was the best answer to cultural penetration I've ever heard."

CHOICE

Secret History: Hello Mr President (Channel 4, 9.00pm)

Within days of becoming President of the United States, Lyndon Johnson ordered his secretary to record all his telephone calls. More than 4,000 hours of material were deposited in the LBJ Library in Texas, of which only a small part has been made public. But it is enough to cover Johnson's first 100 days in office and to provide the basis for a fascinating glimpse into his style and behaviour, presented by an experienced Washington hand, Charles Wheeler. Johnson came to the highest office on the assassination of John Kennedy and a theme of the programme is LBJ's determination to distance himself from his predecessor and fight the continuing impact of the Kennedy clan. As well as a Kennedy-hater, the phone calls reveal a man who for all his bullying and bluster was chronically insecure.

Inside Story: The Honey Trap (BBC1, 10.10pm)

Now here's a funny thing. When it comes to seducing the least susceptible males are the Dutch, the Swedes and Danes, from the very countries supposedly at the heart of sexual permissiveness. The Italians and Spanish are much easier targets, while the British are less so than they pretend to be. The author for all this is none other than the KGB, based on its long experience of using pretty Russian girls to offer sex to foreigners in return for information. Jamie Drabant's film claims to present the "uncloud story" of such entrapments, though many of the cases have already made the headlines. The most poignant is that of the American Marine sergeant, Clayton Lonetree. While based at the Moscow Embassy, he fell for, and passed secrets to, a KGB plant called Violetta. The plot of it is that both insist that they were genuinely in love.

Network First: Return to the Place of the Dead (TV, 10.45pm)

Here is the second programme in four days on the ill-starred British Army expedition to the Borneo jungle in 1964. The first one retold the story in a dramatic reconstruction. This is a documentary sequel in which two of the men, Bob Mann and Richie Mayfield, go back to Borneo and relive the events which nearly cost them their lives. If it sounds like masochism, they also have an emotional reunion with the villagers who helped to save them. The rights and wrongs of the fiasco, which led to bitter recriminations, are largely ignored. Instead, the programme is about his treatment by the Army and blames the incident for the break-up of his marriage. As the men return to the gully where they nearly perished you can understand why it is called the Place of the Dead.

Face to Face: Harold Pinter (BBC2, 11.15pm)

Persuaded into a rare television interview, Harold Pinter gives little away and Sir Jeremy Isaacs does not push him, particularly on his private life, further than he clearly wants to go. But after a surfeit of chat show gush it is a treat to listen to intelligent and articulate conversation, in which he tells the latest book or film plays no part. It helps that Pinter is as precise as a mathematician in his plays. There is not a spare word as he fields questions about his use of language, those famously expressive silences and the extent to which he regards himself as a political writer. Mostly measured, Pinter reserves his bile for critics who behave childishly, and the present Government for reminding him of his overbearing father.

Peter Waymark

REVIEW

6.00am GMTV (1528421)

9.25 WIN, LOSE OR DRAW (8850686)

9.55 REGIONAL NEWS (9437111)

10.00 THE TIME, THE PLACE (38179)

10.30 THIS MORNING (8301395)

12.20pm REGIONAL NEWS (7524023)

12.30 NEWS (7) and weather (4855333)

12.55 SHORTLAND STREET (4830044)

Home and Away (7) (80018044)

Afternoon Live (7) (80018044)

2.30 NEWS (6180995)

3.25 REGIONAL NEWS (6180926)

3.30 POTAMUS PARK (5951371)

3.50 NEWS (6180995)

4.40 Are You Afraid of the Dark? (1776260)

5.10 YAN CAN COOK: THE BEST OF CHINA (8895686)

5.40 NEWS (7) and weather (460518)

6.00 HOME AND AWAY (7) (204315)

6.25 HTV NEWS (7) (562112)

7.00 EMERALD (7) (8131)

7.30 GREAT WESTERN WOMEN: Animal Passions

8.00 THE BILL: A girl collapses after taking Ecstasy and her father is convinced her boyfriend was responsible (7) (4173)

8.30 PET POWER: A German Shepherd whose sixth sense saved its owner from a horrific tale (7) (3686)

9.00 PEAK PRACTICE: Will suspects Kate is suffering from post-natal depression (7) (6570)

10.00 A POLITICAL BROADCAST: Conservative Party (7) (225042)

10.05 NEWS (7) and weather (307537)

10.35 REGIONAL NEWS (267131)

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GENIE

As HTV West except:

12.55pm-1.25 A COUNTRY PRACTICE (4830044)

5.10-5.40 SHORTLAND STREET (8895686)

6.25-7.00 CENTRAL NEWS (562112)

7.30-8.00 HEART OF THE COUNTRY (353)

11.45 CENTRAL SPORT SPECIAL (884228)

12.45am COLLINS AND MACONIE'S MOVIE CLUB (4710648)

1.20 Film: FOR PETE'S SAKE (715006)

2.55 IN FOCUS (9410193)

3.40 FOOTBALL EXTRA (271657)

4.20 CENTRAL JOSEPHINE '97 (1003532)

5.20 ASIAN EYE (5119700)

As HTV West except:

12.55pm-1.25 ILLUMINATIONS (7752402)

1.25-1.55 WISH YOU WERE HERE? (4830044)

5.10-5.40 HOME AND AWAY (8895686)

6.00-7.00 WESTCOUNTRY LIVE (88957)

7.30-8.00 WILD WEST COUNTRY (353)

As HTV West except:

1.00-1.25 SHORTLAND STREET (29800763)

5.10-5.40 HOME AND AWAY (8895686)

6.00 MERIDIAN TONIGHT (889)

6.30-7.00 SURPRISE CHEFS (841)

7.30-8.00 OUT OF TOWN (353)

11.45 PRISONER CELL BLOCK H (249792)

5.00am FREESCREEN (79716)

As HTV West except:

12.55pm-1.25 CROSSWITS (4830044)

5.10-5.40 SHORTLAND STREET (8895686)

6.25-7.00 ANGLIA NEWS (562112)

7.30-8.00 OUT TO LUNCH WITH BRIAN TURNER (353)

11.45 MIDWINTER KICK-OFF (249792)

As HTV West except:

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HOCKEY 46

Joint honours for game's leading couple

SPORT

TUESDAY JANUARY 21 1997

RACING 49

McCoy ready to pin his colours to Pipe



Carling ousts Guscott against Scots

Grayson earns belated recall from England

By DAVID HANDS, RUGBY CORRESPONDENT

THE England rugby union selectors did yesterday what they should have done three months earlier and recalled Paul Grayson, who will play stand-off half against Scotland when the defending champions open their five nations' campaign at Twickenham on February 1.

Grayson, whose six penalties squeezed the life out of Scotland in the Calcutta Cup match last year, replaces Mike Catt in a side showing four changes of personnel and two of position from that which performed so poorly against Argentina a month ago.

Yet, having taken corrective action at stand-off and in the back row, where Richard Hill will win his first cap at open-side flanker, doubts remain over the selectors' choice at scrum half and the midfield pairing of Phil de Glanville and Will Carling.

England's ambition is still to paint broader brush strokes than those which decorated the championship last season and now they must do so with a new half-back pairing and centres who do not complement each other. Wales, for example, demonstrated against Scotland on Saturday

FIVE NATIONS



CHAMPIONSHIP

a capacity to attack through all three midfield players. Jeremy Guscott still offers that variety but, if the management believes that he is not robust enough for the fray — which was hinted at yesterday — then there is little point keeping him in the senior squad.

Carling is a pace and power individual, Guscott is at the other end of the spectrum. Jack Rowell, the England coach, said, somewhat obliquely, "The way the game is going there are no prisoners taken. You need to be robust and we think Will has the edge on Jerry." In that event, it might be more productive to have a player such as Will Greenwood, who is awarded the captaincy of the A team, or

Nick Greenstock among the replacements.

Rowell said that Catt, having been given three games in which to prove himself at stand-off, lacked the organisational skills required at international level, though he offered the prospect of a return at some time as a centre. Grayson and Alex King, of Wasps, were discussed, but, sensibly, the decision went to the player blooded last season and playing in an ambitious club side at Northampton. Grayson is also a regular goalkicker, which King is not.

Andy Gomarsall, King's club partner, receives a vote of confidence at scrum half, despite mixed displays against the New Zealand Barbarians and Argentina. He is, at least, being given time to settle, though Kyran Bracken's form for Saracens is such that he will be disappointed not only to have missed selection, but also to have been pushed down the list by Austin Healey, whose outstanding attacking qualities have won him a place among the replacements.

Two of England's changes are the results of injuries that prevented de Glanville and Tim Stimpson from playing against Argentina. The captain displaces Guscott, and Stimpson returns at full back ahead of Nick Beal.

In the forwards, Chris Sheehy can count himself unfortunate to lose his place at No 8. He did little wrong in his three appearances before Christmas, but Tim Rodber's organisational and playing skills help to keep him in the team. Rodber moves from blind-side flanker to No 8, Lawrence Dallaglio from

ENGLAND DETAILS

	Age	Caps
T R G Stimpson (Newcastle)	23	1
J M Sheehy (Bath)	24	6
W D C Carling (Harlequins)	31	68
F R de Glanville (Bath, capt)	28	17
T Underwood (Newcastle)	27	2
P J Grayson (Northampton)	25	5
A C T Gomarsall (Wasps)	22	2
G C Rowell (Leicester)	25	10
M P Riegan (Bristol)	24	1
J Leonard (Harlequins)	28	51
L N Dallaglio (Wasps)	24	28
M O Johnson (Leicester)	26	38
S A Hill (Saracens)	23	2
T A N Rodber (Northampton)	27	27
REPLACEMENTS: J C Guscott (Bath, 31)		
A J Catt (Bath, 23, 20), A Healey (Leicester, 23, 0), D J Garforth (Leicester, 30, 0), P B T Greening (Gloucester, 31, 1)		
B B Clarke (Richmond, 28, 25)		
ENGLAND A v Scotland A, Harlequins, January 31, N. Beal (Northampton), A. Adebayo (Bath), W. Greenwood		
Leicester, capt, N. Greenstock (Wasps), D. Luger (Harlequins), A. King (Wasps), K. Bracken (Saracens), R. Hardwick (Leicester), R. Cockerill (Leicester), J. Malet (Bath), C. Sheehy (Wasps), G. Archer (Newcastle), D. Sims (Gloucester), N. Beal (Leicester), A. Diprose (Saracens), R. Jones (Leicester), H. Thompson (Northampton), P. Chellinor (Harlequins), J. Mullender (Sale), K. Yates (Bath), S. Diamond (Sale), G. Allison (Harlequins)		
ENGLAND A v Otago, Bristol, January 31: C. Carling (Gloucester), I. Hunter (Northampton), A. Blyth (Newcastle), M. Allen (Northampton), H. Thompson (Northampton), M. Mapletoft (Gloucester), S. Berion (Gloucester), M. Voland (Northampton), D. Wood (Leicester), V. Ussou (Bath), M. Connolly (Bristol), R. Fidler (Gloucester), J. Fowler (Sale), R. Jenkins (Harlequins), S. O'Brien (Bath), capt. REPLACEMENTS: G. Easterby (Northampton), R. Lacey (Leicester), P. Marsh (Harlequins), G. French (Bath), W. Green (Wasps), P. Angelsen (Orrell)		



Twist of fate: Surya Bonaly, of France, on her way to a faltering qualification in Paris yesterday. The five-times European champion is still struggling with the after-effects of a serious Achilles tendon injury sustained last year. Report, page 46

Claridge seeks to banish Ipswich blues

By RUSSELL KEMPSON

LEICESTER City featured prominently in most pundits' pre-season predictions, usually as the club most likely to prop up the FA Carling Premiership. Having taken their place among the elite via the first division play-off final and a dramatic 2-1 victory against Crystal Palace, few expected them to survive.

Seven months on, Leicester are in mid-table, not yet comfortable but certainly respectable. They also have a perfect record in knock-out competitions this season, with five wins from five games, and attempt to reach the last four of the Coca-Cola Cup when they take on Ipswich Town in a delayed quarter-final tie at Portman Road tonight.

For Steve Claridge, scorer of the extra-time goal that defeated Palace at Wembley, it is a chance to erase rather more

unpleasant memories. Two months earlier, he had made his debut for Leicester against Ipswich at Portman Road, after moving to Filbert Street from Birmingham City.

"Within 15 minutes we were trailing 3-0," the striker said. "I've been used to making dreadful starts with new clubs, but that was exceptional. We managed to get it back to 3-2, but, in fairness, they murdered us that day and got another goal near the end." Ten days later, Ipswich beat Leicester 2-0 in the return fixture.

"We are not the kind of side that takes matches lightly, but the fact that Ipswich battered us twice at the end of last season will act as an extra reminder," Claridge said. "We have given ourselves half a chance of getting to Wembley again and, personally, what happened there last May is something I will never forget."

I'm sure that goes for the rest of the lads."

Wimbledon await the winners. They lost 1-0 away to Leicester on Saturday, but turn their attentions to an FA Cup third-round replay against Crewe Alexandra, of the Nationwide League second division, at Selhurst Park. Though beaten only twice in 25 matches, they are keen to

'Match-rigging' trial — 5
Rob Hughes — 47

avoid a repetition of their poor display at Filbert Street.

"Leicester deserved to win, we were clinging on near the end," Chris Barry, the Wimbledon defender, said. "We've not been playing as well as we were a month or so ago, but the morale is still good."

"Perhaps some of us are getting a bit tired. We've had a

lot of games in a short space of time and maybe it's starting to show. Once we click again, I'm sure we can put another good run together." The reward for the winners is not inconsiderable: a fourth-round tie against Manchester United at Old Trafford.

Caspian Group, the owner of Leeds United, has made an offer to Leeds City Council to buy the club's Elland Road ground. The local authority purchased the ground in 1985, for £2.5million, but Caspian is ready to pay double to buy it back.

Simon Richards, assistant to Robin Lauder, the Leeds United chief executive, said: "An offer has been made and we are awaiting a response. I'm not prepared to reveal the price offered, but £5 million is not far wide of the mark."

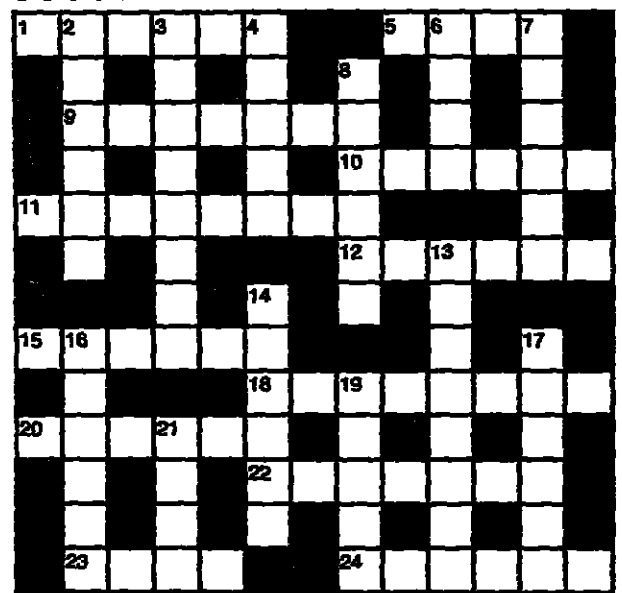
Mike Tait, the Hartlepool United manager who resigned on Sunday, has been persuaded

to change his mind. Tait stood down only three weeks after becoming manager over a dispute about plans to scrap the third division club's youth policy, but withdrew his resignation yesterday.

Tommy Burns, the Celtic manager, was banned from the touchline for a year yesterday after a dispute with a referee's assistant during the Old Firm defeat at Celtic Park last November. He also received his second fine of £2,000 this season. Burns pursued the official before being restrained, and was later sent to the stand by referee Hugh Dallas.

Jim Jeffries, the Heart of Midlothian manager, was fined £500 by the same Scottish FA disciplinary committee for comments he made to a referee's assistant during the Coca-Cola Cup final defeat against Rangers at Celtic Park in November.

TIMES TWO CROSSWORD



No 996

- ACROSS
1 Good luck charm (6)
5 Seize (4)
9 Where Don John of Austria beat Turks (Chesler) (7)
10 Reason for action (6)
11 Light-hearted reprieve (8)
12 Servants' uniform (6)
15 It is a lovesome thing, God wot (T.E. Brown) (6)
18 Sheriff's officer (8)
20 Unrivalled (6)
22 Orgy of destruction (7)
23 Stare fixedly (4)
24 Relative senior nurse (6)

- DOWN
2 Muslim scholar (6)
3 Unbalanced (8)
4 Indian two-wheeler: Friend by Islands (5)
6 Humiliating defeat (4)
7 Dam-building rodent (6)
8 Unpretentious (US) ugly (girl) (6)
13 Provisions of food (8)
14 Detain (enemy aliens) (6)
16 Canvas shelter (6)
17 Weak: over-refined (6)
19 Presses for information: shoes (5)
21 Q-and-A entertainment (4)

SOLUTION TO NO 995

- ACROSS: 1 Behaviur 6 Dew 8 Novelty 9 Naive 10 Flog
11 Reversal 13 Tremor 14 Quench 17 Ideogram 18 Idea 20 Crete
21 Plumage 22 Run 23 Manifesto
DOWN: 1 Benefit 2 Have one's eye on 3 Vile 4 Oxygen
5 Runner-up 6 Dribs and drabs 7 Wheel 12 Long-term
15 Include 16 Sampson 17 Incur 19 Muff

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Hill first cap

open-side flanker to the blind side, where he is now playing his club rugby, with Hill receiving the call ahead of Neil Beal, of Leicester.

There is no doubt that Hill, 23, has benefited by playing alongside so many world-class players with Saracens, but he has been knocking on the door for two years, and to some extent offers a compromise. He has honed his open-side talents after a period when he played No 8 and blind-side but, at 6ft 2in and 15st 9lb, he offers greater physical presence than Beal. Hill said that he was "a bit surprised" by his selection.

"We think Hill has more of the facets we need, not least defensively," Rowell said. Back must be content with a place in the A international against Scotland, whose senior squad will be named today, but the jury will remain out on the balance of the England back row. All three are half-handlers, but Rodber, who will be happy to occupy his favoured position — only three of his caps have been earned there — must employ his ability more constructively than going to ground.

Though none of England's leading clubs have reached agreement with the Rugby Football Union, and only a handful of the players have signed letters of intent, there is no prospect of the dispute affecting the internationals. The clubs know that a withdrawal of labour would prove

Relegation under review

By RUSSELL KEMPSON

DISCUSSIONS have taken place between the Football League and the FA Premier League about a possible reduction in the number of clubs relegated from the FA Carling Premiership.

It is believed that the Premier League is seeking a revamped "two-up, two-down" system, with the Football League clubs being offered compensation if they agree to the move.

Talks are only in the initial stages, with both leagues concerned about the increasingly wide financial gap between the Premiership, which is run by the Premier League, and the Nationwide League, which is run by the Football League.

Mike Lee, a Premier League spokesman, said: "There are a number of matters being considered by the Premier League and the Football League at the moment. The issue of the wealth gap is one of those and, while there are no formal

proposals to be considered at this stage, discussions are taking place."

League clubs are unlikely to be over-enthusiastic about any reduction from the present three-up, three-down system, unless the compensation package was substantial.

Chris Hull, a Football League spokesman, said: "These discussions are very much at the preliminary stage and no formal offer has been made. We have a binding contractual agreement with the Premier League and that cannot be altered without our permission." Any change would not come into force until next season at the earliest.

The Football Association has acted swiftly in an attempt to avoid a repetition of the late postponements of several FA Cup ties last week. Supporters were left frustrated and angry when games at Brentford, Coventry City, Watford, Luton

Town and West Ham United were called off less than two hours before the scheduled kick-off.

Steve Clark, the FA competitions secretary, has written to all the clubs left in the competition, advising them of new guidelines designed to prevent supporters making pointless journeys. He has asked the home clubs to ensure that the match official, or an FA appointed referee, inspects the pitch before the likely departure time of visiting supporters.

Pitch inspections should take place the day before the game, if it is felt that the match is in doubt, and clubs have also been directed to monitor the pitch conditions and advise the FA and media of inspections if they are necessary.

Supporters will not be allowed into grounds if there is any chance of the game being called off.

Raul recruited by Newcastle

KENNY DALGLISH has lost little time since his appointment as manager in moving to reinforce the Newcastle United defence (Peter Ball writes). Yesterday Raul, the former Portugal Under-21 defender, agreed to join the club until the end of the season.

Raul, 22, who plays for Farense, is expected to arrive at St James' Park this week. Whether an inexperienced

to approaches for Blackburn Rovers players looked small yesterday. Blackburn reiterated that no one will leave Ewood Park before the contract of Shay Given, the goalkeeper, expires in the summer and Robert Coar, the chairman, responded coolly to Dalglish's comments about why he left Blackburn.

"Kenny Dalglish told us at the time that he wanted to step down as manager because he

tributed to him in the newspapers at the weekend are correct, it would appear he has had a change of mind. We can only wonder why, if there was something seriously wrong, he was very happy to remain at the club for so long afterwards."

Jürgen Klinsmann, the Bayern Munich striker, yesterday flew into Glasgow in readiness for matches against Raith, in Fife tonight, and

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